

Appendix C
Traffic Needs Assessment of Indian Development Projects in
the San Diego Region – Spring 2002



TRAFFIC NEEDS ASSESSMENT OF TRIBAL DEVELOPMENT PROJECTS IN THE SAN DIEGO REGION

March, 2003

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INTRODUCTION

Eighteen sovereign Indian Nations are located in the San Diego Region. The Indian nations/reservations are located in the rural backcountry of the unincorporated area of San Diego. Access to the reservations is via County-maintained arterials and/or State highways.

On November 1, 2000, the County of San Diego Board of Supervisors received and reviewed a report entitled, "Report on the Potential Impacts of Tribal Gaming on Northern and Eastern San Diego County." The Board reviewed this report and directed, among other actions, that the report be updated in six months. The report includes an attachment, entitled "Preliminary Traffic Assessment of Indian Gaming Projects in the San Diego Region." The traffic assessment evaluates the potential traffic impacts of the proposed Indian gaming facilities.

The study provided herein is an update to the previous traffic assessment. It has been updated to reflect additional information acquired by the County, changes in the project descriptions proposed by the Indians, and to address some of the recommendations made in the previous report.

The preliminary traffic assessment made six recommendations. These recommendations and the extent to which they are addressed in the updated traffic assessment are discussed below:

1. The preliminary study was prepared based upon information available at that time. It was recommended that a detailed cumulative study be done to better assess the potential traffic impacts. It was further recommended, that preparation of this study be coordinated with the Indian tribes.

The traffic impact assessment, herein, provides the next step towards preparing a detailed cumulative study for the proposed Indian gaming projects. It updates and revises the preliminary assessment of the off-reservation road capacity needs of County-maintained arterials and State highways near the Reservations with proposed Tribal projects in the San Diego Region. Road capacity needs in the vicinity of the Reservations are identified. Issues that would be associated with development and implementation of the improvement projects are also discussed.

It has been updated based upon information provided by the Indian tribes. Since the preparation of the original report County staff has received more detailed project descriptions. County staff has also received information on two additional Tribal projects. This information has been used in updating the traffic assessment. The updated traffic impact assessment has been forwarded to the Indian Tribes for their review and comment before submitting it to the Board of Supervisors.

Road capacity and improvement needs associated with current or proposed projects on 10 Reservations within San Diego County are assessed and identified in the updated report. The Reservations with road capacity and improvement needs are Barona, Campo, proposed Cuyapaipe (Ewiiapaayp), Jamul, Pala, Pauma, Rincon, San Pasqual, Sycuan, and Viejas. Additionally, the Cuyapaipe (Ewiiapaayp), La Jolla and Manzanita Tribes have each signed a State Compact for Class III Gaming, but have not yet submitted specific project descriptions. Roads improvement needs in the vicinity of these Reservations are only generally discussed in this report.

2. Additional studies should be performed to better discern the trip generation and impact assessment which are most appropriate for evaluating the proposed Indian gaming facilities in the San Diego region.

Since preparation of the original traffic assessment, County staff has received additional environmental evaluation and traffic studies for the proposed Indian gaming facilities. Trip generation estimates for other Indian gaming projects, such as Sycuan, have been received. A revised trip generation estimate is used in this traffic impact assessment based upon the review of other available studies, review of the more detailed project descriptions, coordination with private traffic consultants, and discussion with representatives from some of the tribes.

Two major changes to the traffic analysis are included in this report. They were made based upon information that had been obtained after completion of the previous report. The changes include the following: 1) the estimated trip generation rate for an Indian gaming facility was changed from 130 trips per 1,000 square feet of casino area to 100 trips per 1,000 square feet of gaming area, and 2) updated project descriptions were incorporated for several Indian development projects.

3. Major State highway and/or County arterial improvement projects will take many years to implement. Studies should be conducted to determine which road improvement projects should be implemented in the near term. The County should negotiate with the Indian Tribes to obtain fairshare contributions toward completion of these studies.

Existing State highways and County arterials in which near term improvements may be needed to accommodate the projected additional traffic volumes are identified in this report. Preliminary cost estimates to complete these improvement projects are provided within the report. Estimates include the cost of environmental and corridor studies which would be necessary to define the specific road improvement projects.

In the previous report, road improvement cost estimates were summarized for both County arterials and State Highways. Caltrans prepared the cost estimates for State highways. Due to the short timeframe in which the previous report was prepared, very general assumptions were made for road capacity, needed improvements and cost estimates for State highways. For instance, where capacity of a two-lane

highway was exceeded, it was assumed that these facilities would be widened to four lanes and general cost estimates were made accordingly.

In the previous report, only an identification of needed road capacity improvements was identified. In this report a discussion of operational improvements to County arterials and a process to identify them is discussed. An example of this kind of analysis is provided for Wildcat Canyon Road.

Caltrans is currently evaluating the feasibility of other interim/phased projects that can accommodate the anticipated traffic volumes without full widening to four lanes. However, a specific set of operational and capacity improvements has not yet been identified. Cost estimates for State highways are not included in current draft report. When completed by Caltrans, proposed improvements and cost estimates will be included in future revisions to this report.

4. The County should negotiate with the Indian tribes to obtain fairshare contributions toward road improvements for roads and highways that are impacted by the proposed Indian gaming projects.

The County has negotiated with the Rincon, San Pasqual and Pauma/Yuima Tribes to obtain fairshare contributions for road improvements for road impacts from the proposed Tribal projects. These cooperative agreements may serve as examples, which can be used for entering into similar agreements with the other tribes. A discussion of this process and a draft agreement are provided.

Other tribes have expressed a willingness to pay their "fair share" to mitigate traffic impacts. Cost estimates to construct the needed off-reservation traffic improvements are provided within the report.

5. The County and the tribes should actively seek State and federal funds to construct needed improvements.

The costs of the needed improvements exceed the County's ability to finance them. The County of San Diego has limited funding resources that can be allocated toward road improvements in the vicinity of the Reservations. Several Tribes have offered to pay their fairshare towards road improvements in the vicinity of their reservations. Estimates of Tribal cost shares that could be expected from the Tribes are provided within this report. As a first step towards identifying potential fairshare contributions, tribal cost shares toward needed road improvements are also estimated. These estimates were made using the methods the County uses in obtaining contributions toward road improvements from large projects. While Tribal contributions should be used to construct some and/or portions of the needed road improvements, it is expected that State and/or federal funding will be needed to complete the construction of all of the needed road improvements. Obtaining State and federal funds will require lobbying over an extended period of time and much collaboration between the tribes and the County.

6. The General Plan 2020 project should include an examination of the Tribal projects in the identification of the land use pattern and implementation of the transportation goals and policies for the arterial and highway corridors near the Indian reservations.

The General Plan 2020 project is currently in the process of developing land use concepts and/or alternatives for consideration. The proposed Tribal projects will be included in the revised land use alternatives and in the evaluation of any land use alternatives. This is an on-going project separate from this work effort and is therefore not discussed in detail in this traffic assessment.

TRIBAL PROJECTS

A map showing the locations of the Indian reservations in San Diego County is provided in Figure 1. Eight Indian Tribal Gaming projects are currently in operation within San Diego County. These are on the Barona, Campo, Pala, Pauma, Rincon, San Pasqual, Sycuan and Viejas Reservations. Current traffic conditions on County and State highways near these projects are provided herein.

A proposal to develop an Indian gaming project on the Jamul Reservation has been received by County staff and has been assessed within this report. In addition, proposals to significantly expand the operations conducted on the Barona, Sycuan and Viejas reservations have been received and are assessed within this report.

The La Jolla, Cuyapaipe, and Manzanita Tribes have each signed a State Compact for Class III Indian Gaming. Tribal projects on these reservations are still being defined. County staff, however, has not yet received specific proposals for these projects. Only a general assessment of potential road improvement needs in the vicinity of these reservations are provided in this report. Detailed assessments once the projects have been specified may identify additional needs. A general description of the projects being considered on these reservations is provided below.

The La Jolla Band of Mission Indians operates an existing waterpark on their reservation. A campground store, arcade, gas station and two race tracks are also provided on the reservation. Since approval of the State compact 30 slot machines have also been placed on the reservation.

The Cuyapaipe Band of Mission Indians leases trust land for an existing health clinic near Alpine north of Willows Road. The Band has submitted a project description and environmental assessment to the County for the relocation and expansion of a health clinic. They propose to relocate the Health Center to a site on Alpine Boulevard, east of the intersection of Willows Road and Alpine Boulevard. An assessment of the relocation and expansion of a health clinic is provided in this report.

The Manzanita Tribe has expressed an interest in constructing an off-road vehicle park, RV-park and 300 slot casino on their reservation.

BASELINE CONDITIONS AND EXISTING NEEDS

Operating conditions, prior to the opening of new or expanded Indian projects were documented for County arterials and State highways in the vicinity of the Reservations. These conditions are referred to in this report as “Baseline Conditions.” Traffic volumes were obtained from the County of San Diego’s Master Traffic Census, and from environmental assessment/evaluations prepared for the various Indian projects. LOS estimates were then prepared based upon the baseline traffic volumes. A summary of baseline traffic volumes and levels of service for arterials and State highways near the Indian reservations is provided in Table 1.

Primary access to the Indian gaming projects is from County-maintained arterials and/or State highways. County-maintained arterials and State highways near the Indian reservations that are at LOS ‘E’ or ‘F’ are shown in Figures 2A, 2B and 2C. Levels of Service are based on volumes that were obtained from the 2000 Traffic Flow Map for the San Diego Metropolitan Area, prepared by the San Diego Association of Governments (SANDAG), and the San Diego County Master Traffic Census, prepared by the County of San Diego Department of Public Works.

Prior to the opening of new and/or expanded Indian facilities that were constructed subsequent to the signing of the State Compacts, approximately 21.9 miles of County arterials and 5.4 miles of State highway in the vicinity of the facilities were operating below LOS D and needed capacity improvements.

The following County-maintained arterial and State highway segments were operating below the LOS D before September 1999, which is one indicator of a need for road capacity improvements:

COUNTY-MAINTAINED ARTERIALS (LOS < D)

- ◆ Maplevue Street (State Route 67 to Lake Jennings Park Road) – (0.79 miles)
- ◆ San Vicente Road (Main Street to Gunn Stage Road) – (5.83 miles)
- ◆ Wildcat Canyon Road (Barona entrance to Willow Road) – (5.08 miles)
- ◆ Ashwood Street (Willow Road to Maplevue Street) – (1.0 miles)
- ◆ Willow Glen Drive (Steele Canyon Road to Jamacha Road/SR 54) – (0.78 miles)
- ◆ Valley Center Road (Cole Grade Road south to City of Escondido) – (5.16 miles)
- ◆ Willows Road (Interstate 8 to Viejas Casino entrance) – (2.27 miles)
- ◆ Dehesa Road (Willow Glen Drive to City of El Cajon) – (1.98 miles)

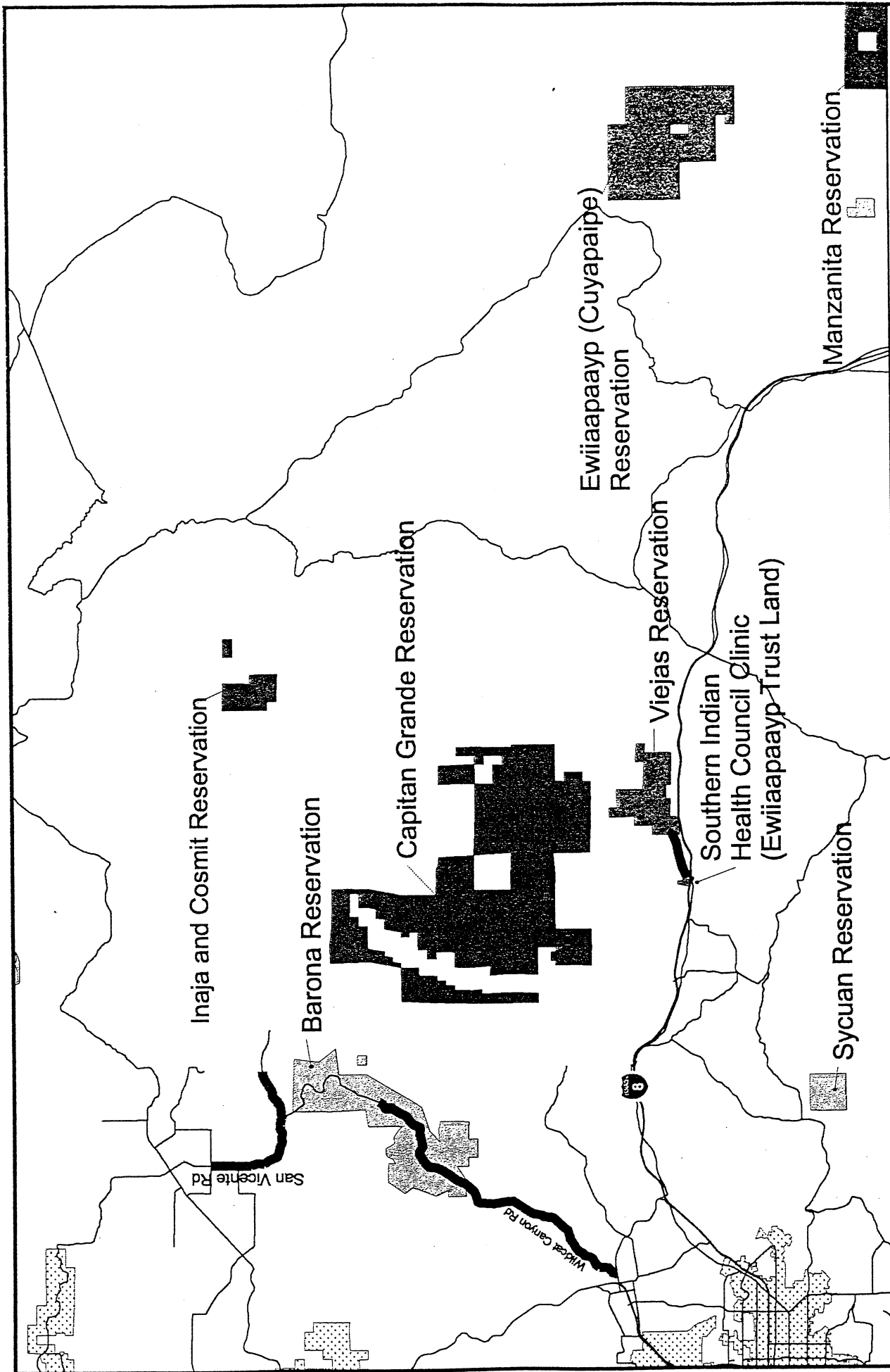
STATE HIGHWAYS (LOS < D)

- ◆ SR 94 (north of Avocado Boulevard to Lyons Valley Road) – (5.41 miles)

TABLE 1
Baseline - LOS E & F Roads
(100 Trips / 1,000 Sq. Ft. of Gaming Area)

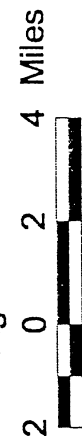
Roadway	Segment	Baseline Road Classification	Length of Segment (Miles)	Baseline ADT*	Baseline LOS
BARONA					
1 Ashwood St.	Willow Rd. to Mapleview St.	LC	1.00	11.5	E
2 Mapleview St.	SR 67 to Ashwood St.	LC	0.31	13	E
3 Mapleview St.	Ashwood St. to Lake Jennings Park Rd.	LC	0.48	13	E
4 San Vicente Rd.	Main St. to Hanson Lane	LC	1.17	11	E
5 San Vicente Rd.	Hanson Lane to Warnock Rd.	LC	0.75	14	E
6 San Vicente Rd.	Warnock Rd. to Wildcat Canyon Rd.	LC	2.20	14	E
7 San Vicente Rd.	Wildcat Canyon Rd. to Gunn Stage Rd.	LC	1.71	12	E
8 Wildcat Canyon Rd.	Barona Entrance to Willow Rd.	LC	5.08	17	F
JAMUL					
1 SR94 (Campo Rd.)	Avocado Blvd. to Jamacha Rd.	4E	0.95	49	F
2 SR94 (Campo Rd.)	Jamacha Rd. to Steele Canyon Rd.	2C	2.49	16	F
3 SR94 (Campo Rd.)	Steele Canyon Rd. to Lyons Valley Rd.	2C	1.97	17	F
4 Willow Glen Dr.	Steele Canyon Rd. to SR54 (Jamacha Rd.)	LC	0.78	15	E
PALA, PAUMA, RINCON, SAN PASQUAL					
1 Valley Center Rd.	Cole Grade Rd. to Lilac Rd.	LC	1.28	16	E
2 Valley Center Rd.	Lilac Rd. to SC990 (Charlan Rd.)	LC	0.94	17	F
3 Valley Center Rd.	SC990 (Charlan Rd.) to Woods Valley Rd.	LC	0.25	18	F
4 Valley Center Rd.	Woods Valley Rd. to Escondido City Limits	LC	2.69	18	F
SYCUAN					
1 Dehesa Rd.	Willow Glen Dr. to El Cajon City Line	LC	1.98	11	E
VIEJAS					
1 Willows Rd.	West Willows Rd. to Viejas Entrance	LC	2.27	13.4	E
			TOTAL MILES - STATE FACILITIES		
			TOTAL MILES - COUNTY FACILITIES		
			TOTAL MILES - COUNTY FACILITIES		

Notes: ADT = Average Daily Traffic
LOS = Level of Service
* ADT Volumes = X 1,000
** Distributed onto New SR54 in 2020
*** .01 = 1%

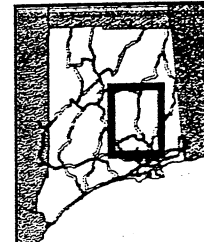


LOS E&F Roadway Segments

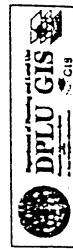
Baseline Conditions
Figure 2A

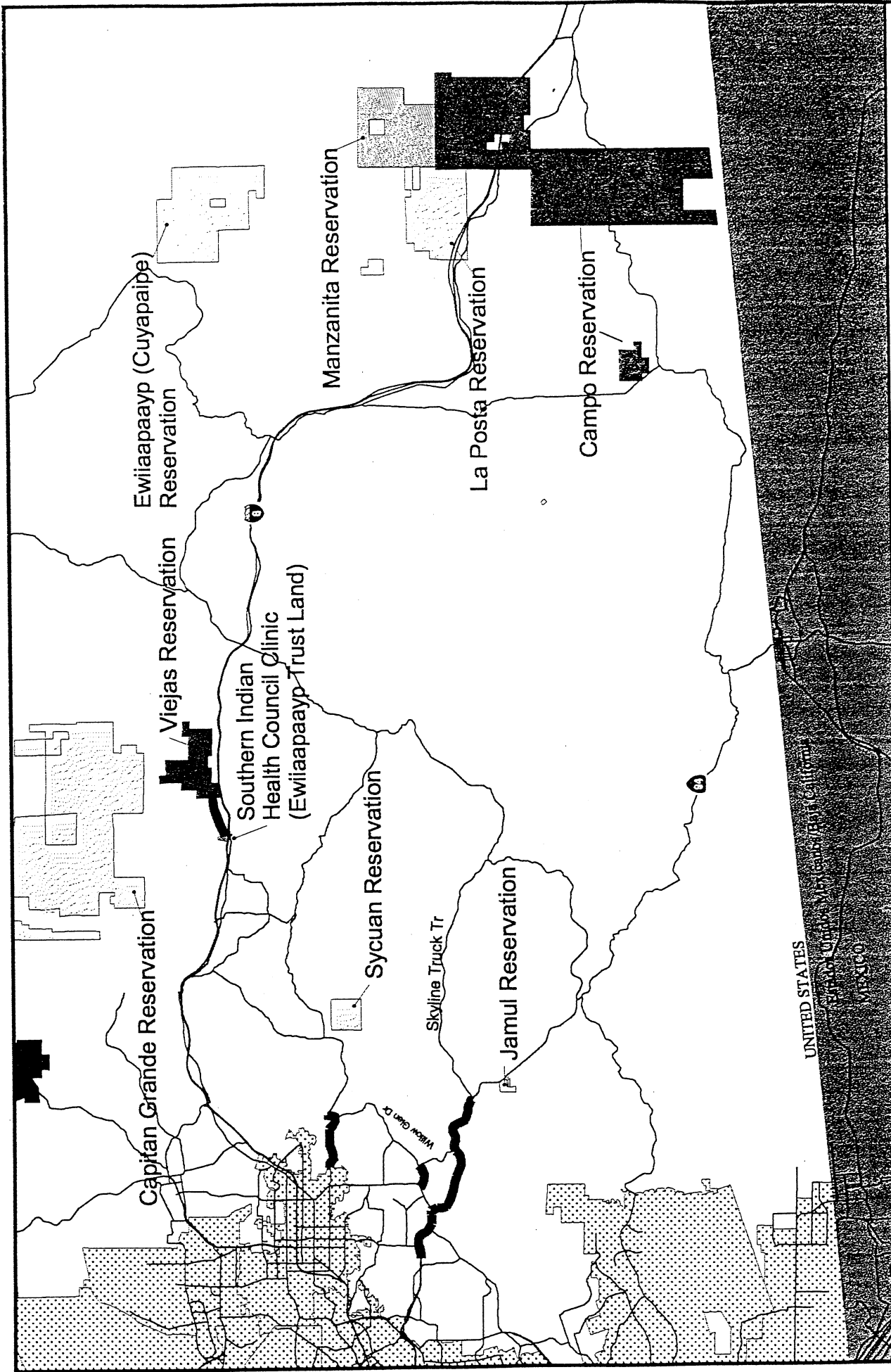


LOS E/F
Circulation Element
Incorporated Areas



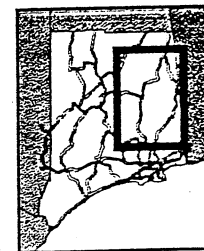
Note:
Only LOS E&F roads
evaluated in the report
are depicted on figures.





LOS E&F Roadway Segments

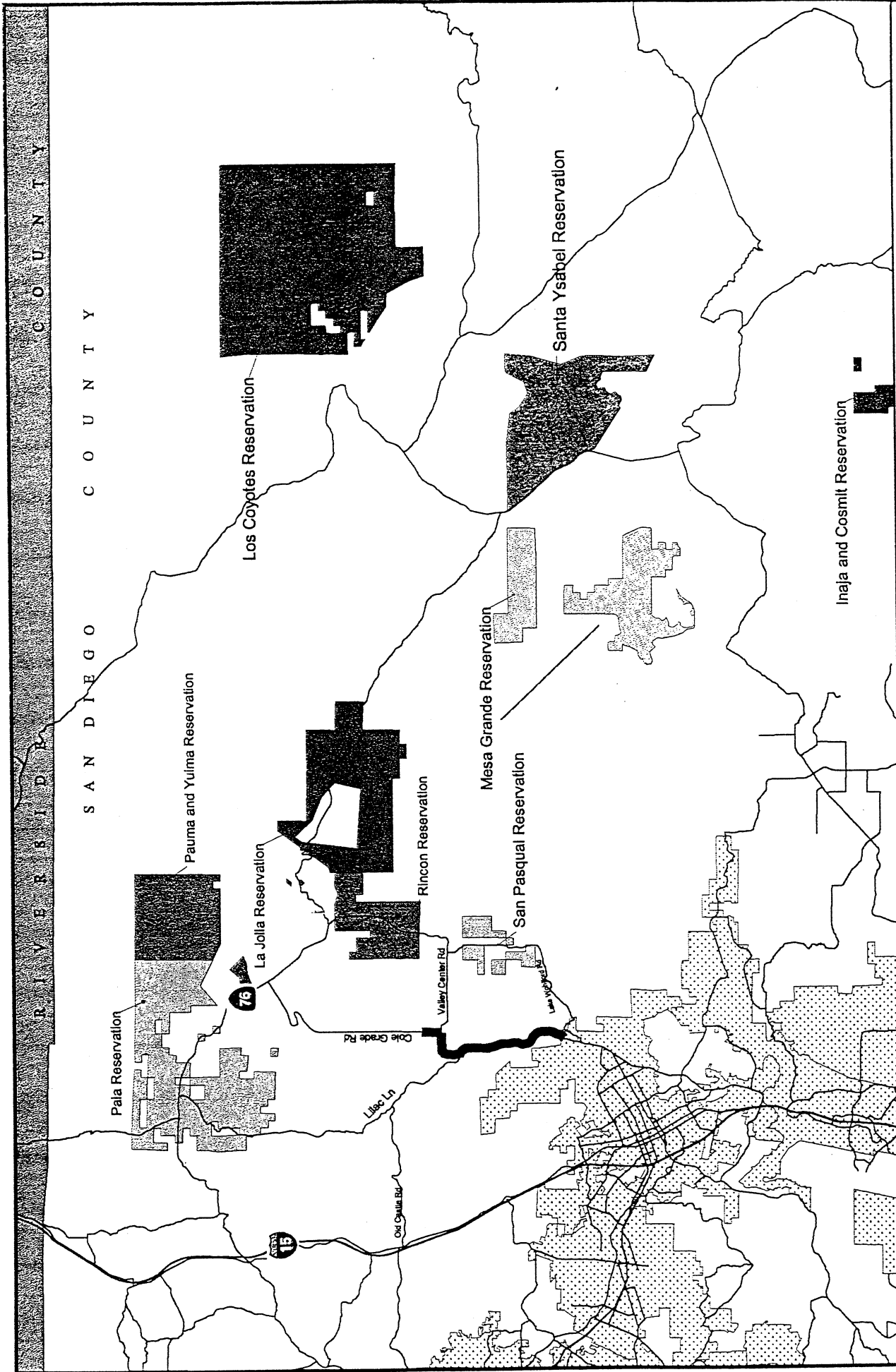
Baseline Conditions
Figure 2B



LOS E/F
Circulation Element
Incorporated Areas

Note:
Only LOS E&F roads
evaluated in the report
are depicted on figures.

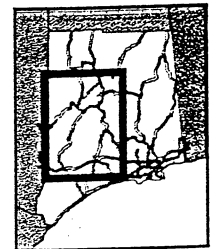




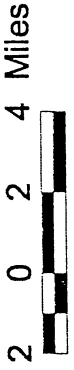
LOS E&F Roadway Segments

Baseline Conditions
Figure 2C

LOS E/F
Circulation Element
Incorporated Areas



Note:
Only LOS E&F roads
evaluated in the report
are depicted on figures.



The Barona, Sycuan and Viejas gaming facilities and adjoining uses were originally developed in San Diego County prior to signing of the Tribal-State Compacts. Wildcat Canyon Road, Dehesa Road and Willows Road, provide access to these three reservations, respectively. Prior to the signing of the state Compacts, these roads were operating below LOS D. The County of San Diego has negotiated with Barona and Sycuan to obtain funding toward some improvements to portions of Wildcat Canyon Road and Dehesa Road to partially address the LOS deficiencies.

If the estimated traffic generated by the pre-September 1999 gaming and non-gaming projects on the Barona, Sycuan and Viejas Reservations is subtracted from the baseline volume for these roads, 9 miles of the roads would have operated at or better than LOS D. Therefore, of the 22 miles of County arterials needing improvements under baseline conditions, 13 miles was due solely to development occurring off Reservations, and approximately 9 miles was due to development of the pre-September 1999 gaming and non-gaming projects on the Barona, Sycuan and Viejas Reservations. The County arterials directly affected by the Reservations were Wildcat Canyon Road, Dehesa Road and Willows Road. Some additional traffic from the reservations was also generated on portions of San Vicente Road and Maplevue Street, which were operating close to or below LOS D, but the reservations were not the primary cause of the level of service deficiency.

SCHEDULED CAPITAL IMPROVEMENT PROJECTS

Capital improvement programs for the County of San Diego and Caltrans identify arterial and highway projects that will be constructed in the near term. The 2020 Regional Transportation Plan (RTP) adopted by the San Diego Association of Governments (SANDAG), in April 2000, identifies arterial and highway projects that are proposed for construction over the next twenty years. Prior to obtaining certain State and/or federal funding for a specific road improvement project, the project must be included in the RTP. The listing of projects in the RTP is a regional competitive process involving all 18 cities, the County and Caltrans. The Tribes were not involved in the preparation of the 2020 RTP.

The RTP is updated approximately every two years. SANDAG is currently updating the RTP with the preparation of the Mobility 2030 plan. Efforts should be made to include needed projects in the vicinity of the reservations within the RTP. Once they are identified within the RTP, they could then compete for funding, such as that which is allocated through the Regional Transportation Plan Improvement Plan (RTIP) cycle. It is anticipated that the SANDAG Board will adopt the Mobility 2030 Plan in spring/summer 2003.

A summary of currently scheduled improvement projects near the Reservations is provided below.

COUNTY-MAINTAINED ARTERIALS

Valley Center Road

Valley Center Road from Cole Grade Road south to Lake Wohlford Road is included in the County of San Diego's Capital Improvement Program. It is scheduled to be improved from two (2) to four (4) lanes and take three (3) to four (4) years to complete. The majority of funding for this project is from the County's portion of the TransNet sales tax. It should also be noted that the Pauma and Rincon Bands have agreed, through cooperative agreements, to contribute monies toward the construction of this road improvement.

Wildcat Canyon Road

The County of San Diego has initiated the preparation of an Environmental Impact Report (EIR) for road enhancement improvements to Wildcat Canyon Road. These enhancements/improvements include the provision of a passing lane, three turn-outs, intersection improvements, and a wild-life crossing. The County of San Diego, Barona Band and the Bureau of Indian Affairs (BIA) are providing funding as follows for the Phase 1 improvements: \$600,000 (County); \$1.4 million (Barona Band); and \$3 million (BIA). Although funding for the enhancements/improvements is currently available, environmental studies must be completed prior to construction of the proposed project. It is anticipated that the draft EIR will be distributed for public review in April 2003.

County of San Diego Public Works engineers and field staff have conducted field reviews to identify operational and other near term phased improvements that can be implemented and/or constructed in the interim that would improve traffic operations. A discussion of the road review process that was performed for Wildcat Canyon Road is provided later in this report.

Dehesa Road

A 2,000-foot section of Dehesa Road near Dehesa Elementary School (in the vicinity of Sloane Canyon Road) has recently been widened. It was widened to improve access to and from the school, and to improve traffic flow along Dehesa Road. The improvements also included the provision of a left turn pocket, improvements to the Dehesa Elementary School driveway and parking lot. The County of San Diego funded the costs associated with the environmental studies and engineering design of the proposed improvements. Additionally, the County of San Diego, Sycuan Band and the Dehesa School District entered into a cooperative agreement, whereby the County paid for the improvements made within the road right of-way and the Sycuan Band paid for the improvements made on the Dehesa School District property. The total cost of the improvements was \$635,000 of which the Sycuan Band contributed approximately \$250,000.

STATE HIGHWAYS

SR 94

Caltrans is scheduled to provide operational improvements to SR 94. Preliminary design and environmental studies for these improvements will take six (6) to seven (7) years to complete. Construction of the improvements will then follow as funding is available. In addition, SANDAG has completed the Rural Highway Corridor Study. The goal of this study was to develop a strategy for accommodating future traffic in the SR 94 corridor. This study recommended that SR 94 be widened to four lanes from SR 54/SR 94 junction (near Rancho San Diego) to Steele Canyon Road. It further recommended that SR 94 remain a two-lane highway between Steele Canyon Road and Ribbonwood Road, near the Community of Boulevard.

SR 76 east of I-15

The 2020 RTP does not include improvements to SR 76 east of I-15, and Caltrans does not currently have any operational or capacity improvements programmed for that portion of SR 76. Under baseline conditions, SR 76 east of I-15 was operating at LOS B. However, as shown earlier in the report, the Tribal development projects on the Pala, Pauma, Rincon and San Pasqual Reservations cause SR 76 to operate below LOS D between I-15 and Lilac Road.

Several land development projects submitted to the County of San Diego for discretionary approval, however, include as conditions of approval fairshare contributions and/or fairshare improvements to the ramps between I-15 and SR 76 and/or operational improvements along SR 76. Timing of the construction of these fairshare improvements is dependent upon construction of these land development projects.

SR 67

Caltrans does not currently have any operational or capacity improvements programmed to be constructed on SR 67. SANDAG has completed a SR 67 Corridor Study to identify needed improvements in the SR 67 corridor. This study recommended widening SR 67 to six lanes between SR 52 and Maplevue Street and widening SR 67 to four lanes between Vigilante Road and Mussey Grade Road/Dye Street. It also recommended two truck climbing lanes and the provision of a southern bypass in Ramona by extending Dye Road to San Vicente Road. The 2020 Regional Transportation Plan (RTP) includes the widening of SR 67 from a four-lane to a six-lane freeway between future SR 52 and Maplevue Street, and from a two-lane to a four-lane freeway from Maplevue Street to Vigilante Road. Additional recommendations made in the SR 67 Corridor Study will be incorporated into the 2030 RTP.

BASELINE PLUS PROJECT ANALYSIS

TRIP GENERATION

ASSUMPTIONS

San Diego Association of Governments (SANDAG) trip generation rates are typically used to estimate trip generation of land development projects in the San Diego region. SANDAG trip generation rates do not currently include a trip generation rate for an Indian gaming facility/casino. The trip generation estimates used in the previous traffic assessment for the Indian gaming facilities/casinos were derived from data which was available at the time the report was prepared. This included driveway traffic count data available for the Barona Casino and comparisons with Institute of Traffic Engineers (ITE) trip generation data.

The Barona Casino, at the time the count was taken, was functioning as a temporary casino. It alone may not be representative of the types of casino facilities which are currently proposed. For instance, the Barona gaming area was over 90% of the total square footage. The gaming area of the proposed permanent facilities have a gaming area that is less than half the overall square footage. Similarly, the ITE trip generation data was from facilities in which the gaming area was also over 90 % of the overall square footage. The proposed permanent facilities, however, are more “high end” and include other uses to better support project operations and to entice customers into staying longer. Similar to a “high end” sit down restaurant generating fewer trips per square foot than a fast food restaurant, the proposed permanent casinos will likely generate fewer trips per square foot than temporary casinos. The actual trip rate for each proposed casino will vary dependent open its size and composition of uses.

A trip generation rate was identified to estimate the trip generation potential of the proposed casinos. This rate was based upon the total square footage of the gaming area identified for each casino. The total square footage of gaming area was used since this was the main attraction of the proposed facilities and the other uses supplement this activity. The supplemental uses provide operational support to this activity or are intended to entice the patrons into staying longer.

The trip generation rate used in this updated analysis is 100 average daily trips per 1,000 square foot of gaming area. Since preparation of the original traffic assessment, County staff has received additional environmental evaluation and traffic studies for the proposed Indian gaming facilities (see Exhibit A). A revised trip generation estimate is used in this traffic impact assessment based upon the review of submitted environmental evaluations/assessments for Indian gaming projects, other available studies, review of the more detailed project descriptions, coordination with private traffic consultants and discussion with representatives from some of the tribes. The 100 ADT rate per 1000 square feet of gaming area reflects a rate that considers local traffic count data for casinos in San Diego County and information submitted in environmental

evaluations for casinos both inside and outside of San Diego County. In the previous report dated November 1, 2000, a trip rate of 130 ADT per 1000 square feet of total floor area was used.

SANDAG trip generation rates were used for the other activities, such as golf courses and hotels, which are being proposed on some reservations. The trip rates are as follows:

Several Indian casino projects are proposing to construct resort hotels/motels. In the current report, the SANDAG trip rate for resort hotels was reduced from 8 to 3 trips per room. The reduction in the Resort Hotel trip rate recognizes that guests of the Indian casino hotels are primarily attracted by the casino facilities, and that the hotel facilities are a secondary attraction. For the other non-casino facilities such as outlet centers and golf courses, the standard ITE/SANDAG trip rates have been used.

Additional studies should be conducted in order to better document the trip generation rates for the Indian gaming facilities in the San Diego region. Trip generation rates for various land uses in the San Diego region are typically established by the San Diego Association of Governments (SANDAG). The current SANDAG trip generation tables do not include trip generation rates for Indian casinos. Trip generation data that is currently available is not very extensive, subject to interpretation and may not be reflective of the types of casinos that are being constructed. The County and the Indian tribes should coordinate with SANDAG to establish trip generation rates for the new Indian casinos.

The County of San Diego has requested that each casino project provide a detailed breakdown of the uses within the proposed casino facility. When the casino use information has been provided to the County, the trip generation estimates for some of the casinos may need to be adjusted. Adjustments to a casino's trip generation estimates may be warranted, because the casino may contain a unique trip generator such as a specialty gaming activity, entertainment theater, or a high-tech arcade.

TRIP GENERATION ESTIMATES

The trip generation estimates were prepared for the proposed Tribal projects that have submitted an Environmental Assessment/Evaluation to the County of San Diego. Estimates of the number of trips generated by each of the proposed Indian gaming and other projects were made. The trip generation estimates for the Barona, Sycuan and Viejas projects were based upon the trips generated by the proposed expansion projects. Casinos at each of these reservations were in operation prior to November 1, 2000. Traffic generated by the initial phases of these projects is already on the roads and highways. For the most part, they are reflected in the existing traffic counts. The trip generation estimates for each proposed Indian gaming facility are provided in Table 2.

TABLE 2
Trip Generation Estimates

BARONA RESERVATION – EXPANSION TO GAMING FACILITY			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA EXPANSION (1)	47,700 sq. ft. (2)	100 trips/1000 square feet	4,770
GAS STATION W/ FOOD MART	24 VFS (4)	30 trips/VFS (6)	720
RESORT HOTEL	390 rooms (3)	3 trips/room	1,170
GOLF COURSE	18-hole course (3)	630 trips/course (6)	630
EVENT CENTER	20,000 sq. ft. (3)	36 trips/1000 square feet (5,6)	720
TOTAL DAILY TRIPS GENERATED			8,010

- (1) The Barona Indian Reservation is proposing a 293,000 square foot (Environmental Evaluation dated December 2000) casino facility. The existing casino facility at the Barona Indian Reservation is approximately 125,000 square feet. The proposed expansion would represent an approximately 170,000 square foot increase in the size of the casino facility.
- (2) Based on information from project's traffic study dated December 2000.
- (3) Based on information from project's Environmental Evaluation dated December 2000.
- (4) 24 Vehicle Fueling Spaces (VFS) = 12 pumps x 2 VFS.
- (5) Based on a modified ITE community center trip rate and SANDAG theater trip rate.
- (6) Based on adjusted/reduced ITE/SANDAG trip rates.

CAMPO/ KUMEYAAY RESERVATION – PHASE 1			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
FUEL DEPOT	1 fuel depot	40 trips/day	40
TOTAL DAILY TRIPS GENERATED			40

CAMPO/ KUMEYAAY RESERVATION – PHASE 2			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAS STATION w/ Food mart	12 pumps	160 trips/pump	1,920
TOTAL DAILY TRIPS GENERATED			1,920

CAMPO/KUMEYAAY RESERVATION – PHASE 3			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
RV PARK	150 spaces	4 trips/RV space	600
TOTAL DAILY TRIPS GENERATED			600

CAMPO/ KUMEYAAY RESERVATION – PHASE 4			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR (2)	DAILY TRIPS
CASINO (1)	23,460 sq. ft.	100 trips/1000 square feet	2,346
OFFICE	1,500 sq. ft.	20 trips/1000 square feet	30
MOTEL	100 rooms	3 trips/room (3)	300
RESTAURANT	2,500 sq. ft.	160 trips/1000 square feet	400
Other casino trip generating uses	TBD	TBD	TBD
TOTAL DAILY TRIPS GENERATED			3,076
TOTAL PROJECT TRIPS FOR ALL FOUR PHASES			5,636

- (1) Total square footage of the Campo casino is 60,000 square feet (Based on San Diego Union Tribune article April 9, 2001).
- (2) The non-casino Campo/Kumeyaay Reservation trip rate factors are based on the project's Environmental Assessment dated June 1999, except for motel trip rate.
- (3) Based on adjusted/reduced SANDAG trip rate

JAMUL RESERVATION – PERMANENT GAMING FACILITY			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA	73,469 sq. ft. (1)	100 trips/1,000 square feet	7,347
HOTEL	300 rooms (1)	3 trips/room (2)	900
EVENT CENTER	24,000 sq. ft.	40 trips/1,000 square feet	960
TOTAL DAILY TRIPS GENERATED			9,207

- (1) Based on information provided in the Jamul Indian Village EIS (Environmental Impact Statement) dated December 2002.
- (2) Based on adjusted/reduced SANDAG trip rate

PALA RESERVATION – PERMANENT GAMING FACILITY			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA (1)	60,500 sq. ft. (2)	100 /1000 square feet	6,050
HOTEL	500 rooms (3)	3 trips/room	1,500
Other casino trip generating uses	TBD	TBD	TBD
TOTAL DAILY TRIPS GENERATED			7,550

- (1) Total square footage of the Pala casino is 187,000 square feet (Environmental Assessment dated April 2000).
 (2) Based on information from project's Environmental Assessment dated April 2000.
 (3) Based on UT Article dated January 2002.

PAUMA RESERVATION – PERMANENT GAMING FACILITY			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA (1)	40,000 sq. ft. (2)	100 trips/1000 square feet	4,000
TOTAL DAILY TRIPS GENERATED			4,000

- (1) Total square footage of the Pauma casino is 87,500 square feet.
 (2) Based on information from project's Environmental Evaluation dated October 2000.

RINCON RESERVATION – INTERIM GAMING FACILITY			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA (1)	45,000 sq. ft. (2)	100 trips/1000 square feet	4,500
TOTAL DAILY TRIPS GENERATED			4,500

- (1) Total square footage of the interim Rincon casino is 62,500 square feet.
 (2) Based on information from project's traffic study dated June 2000 and project traffic consultant.

RINCON RESERVATION – PERMANENT GAMING FACILITY			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA (1)	59,000 sq. ft. (2)	100 trips/1000 square feet	5,900
Other casino trip generating uses	TBD	TBD	TBD
RESORT HOTEL	200 rooms (2)	3 trips/room (3)	600
TOTAL DAILY TRIPS GENERATED			6,500

- (1) Total square footage of the permanent Rincon casino is 180,000 square feet.
- (2) Based on information from project's traffic study dated September 2000 and project traffic consultant.
- (3) Based on adjusted/reduced SANDAG trip rate

SAN PASQUAL RESERVATION – TEMPORARY GAMING FACILITY			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA (1)	20,160 sq. ft. (2)	100 trips/1000 square feet	2,016
TOTAL DAILY TRIPS GENERATED			2,016

- (1) Total square footage of the temporary San Pasqual casino is 40,900 square feet.
- (2) Based on information from the project's Environmental Assessment dated September 2000.

SAN PASQUAL RESERVATION – PERMANENT GAMING FACILITY (4)			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA (1)	68,599 sq. ft. (2)	100 trips/1000 square feet	6,860
Other casino trip generating uses	TBD	TBD	TBD
RESORT HOTEL	238 Rooms (2)	3 trips/room (3)	714
TOTAL DAILY TRIPS GENERATED			7,574

- (1) Total square footage of the permanent San Pasqual casino is 180,351 square feet (Environmental Assessment dated December 2000).
- (2) Based on information from the project's Environmental Assessment dated December 2000.
- (3) Based on adjusted/reduced SANDAG trip rate
- (4) The San Pasqual tribe submitted a revised Environmental Assessment (EA) dated December 2002. The San Pasqual project in the County's report is different from the project described in the December 2002 EA. In the December 2002 EA, the gaming area is 51,800 square feet and a trip rate of 195 trips/1,000 square feet was used. The 195-trips/1,000 square feet rate was based on new traffic data collected by consultants working for the San Pasqual reservation.

SYCUAN RESERVATION – EXPANSION TO GAMING FACILITY			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA	58,890 sq. ft. (1)	100 trips/1000 square feet	5,889
Other casino trip generating uses	TBD	TBD	TBD
THEATER (Opened 2001)	460 seats (2)	1.8 trips/seat	828
TOTAL DAILY TRIPS GENERATED			6,717

- (1) Based on information submitted by Sycuan reservation dated September 13, 2001. Total Current Gaming square footage (93,890 sq. ft.) – Pre-compact (35,000 sq. ft.) = Expansion square footage (58,890 sq. ft.).
- (2) Based on UT article dated November 2000.

VIEJAS RESERVATION – EXPANSION TO FACILITIES			
LAND USE TYPE	LAND USE UNITS	TRIP RATE FACTOR	DAILY TRIPS
GAMING AREA (1)	27,370 sq. ft. (2)	100 trips/1000 square feet	2,737
Other casino trip generating uses	TBD	TBD	TBD
OUTLET CENTER	83,000 sq. ft. (3)	27 trips/1000 square feet (4)	2,241
TOTAL DAILY TRIPS GENERATED			4,978

- (1) Total square footage of the Viejas casino, including expansion, is 238,000 square feet (Viejas.com: 12/27/00 News Release). Casino gaming area is based on the 70,000 square foot casino expansion.
- (2) Information identifying the actual size of the Viejas gaming area has not been provided to the County of San Diego. Gaming area was assumed to be 39.1% of total casino area based on average size of gaming areas for other San Diego region Indian casinos
- (3) Based on information from Viejas.com web site. Outlet Center square footage includes 83,000 square foot expansion (increase from 35 to 57 stores).
- (4) Based on data from ITE Trip Generation Report.

TRIP DISTRIBUTION

The estimated number of trips generated by each proposed Tribal project was manually distributed onto the existing and future road networks. The trip distribution assumptions for Indian gaming projects were based on existing/observed traffic patterns, traffic count data, and information provided in previously prepared traffic studies for the proposed gaming facilities. The trip distribution assumptions were adjusted for the future-year scenarios in order to account for build-out of the County's Circulation Element Plan roadway system. Figures identifying the assumption trips distribution for each proposed Tribal projects are provided in Exhibit B.

ROAD CAPACITY NEEDS CRITERIA

Road capacity needs were determined using the same methods the County uses to evaluate potential traffic impacts of private projects submitted to the County for discretionary approval. Road capacity needs for County arterials were identified by comparing baseline and projected traffic volumes to the County's level of service (LOS) D threshold volumes. Road capacity needs for State highways were identified, by estimating the Highway Capacity Manual (HCM) level of service for the existing and projected traffic volumes.

Road capacity needs were identified for County arterials and state highways that would operate below LOS D, and serviced a significant amount from traffic from a Reservation. This was based upon the County of San Diego's General Plan Public Facility Element (Transportation Implementation Measure 1.1-3). Per the County's Public Facilities Element, a Level of Service D (LOS D) standard has been established for the assessment of impacts to off-site Circulation Element roads. A percentage of 2% is used by the County to identify significant traffic volume increases on a road operating at or below LOS D. This is the percentage the County uses to evaluate potential traffic impacts of private projects submitted to the County for discretionary approval. Road capacity needs for each of the Tribal projects were then assessed according to the following criteria:

1. If the additional traffic generated by a proposed Tribal project significantly increased the amount of traffic on roads currently operating below LOS D, it would signify a road capacity need;
2. If the additional traffic generated by the proposed Indian Tribal projects caused the level of service to fall below LOS D threshold, it would signify a road capacity need;
3. If the additional traffic generated by a proposed Tribal project significantly increased the traffic volume on an existing road or highway currently operating below LOS D or caused the level of service for an existing road or highway to fall below LOS D it would signify a road capacity need.

Levels of service for County-maintained arterials were assessed using the County of San Diego's level of service thresholds (Exhibit C). These thresholds are based upon a 24-hour traffic volume. Levels of service for State highways were assessed by Caltrans using a methodology based on lane capacity, peak-hour traffic, and directional flows of traffic.

ROAD CAPACITY NEEDS FOR EACH RESERVATION

Road capacity needs for each Reservation were assessed based on estimated traffic volume increase and impact of added traffic to roadway level of service. Trip generation estimates were prepared based upon project descriptions provided by the Tribes. A trip generation rate of 100 ADT/1,000 square feet of gaming area was used for the casinos, and the SANDAG trip generation rates were used for the other uses. The trips were then distributed onto the adjacent road network individually, independent from the traffic generated by the other Reservations, and Roadway level of service summaries were then prepared. A summary of the traffic volumes and level of service estimates for County-maintained arterials and State highways in the vicinity of the proposed Indian gaming projects are provided in Table 3.

The trip generation estimates for the Barona, Sycuan and Viejas projects were based upon the trips generated only by the expansion projects. Casinos and the first phase of the Viejas Outlet Center on these Reservations were in operation prior to the Tribal-State Compacts. Traffic generated by the initial phases of these projects is already on the roads and highways and, for the most part, is reflected in the existing traffic counts. Traffic volumes on the access roads to these casinos have substantially increased since the opening of these casinos, and access roads to these casinos were identified under baseline conditions to operate below LOS D.

Levels of service estimated for County arterials were prepared by County staff and based upon the County's Public Road Standards level of service table. For state highways, Caltrans staff calculated levels of service for state highways in the vicinity of the reservations, including SR 67, SR 76, and SR 94.

Road capacity needs were identified for each Reservation by comparing the increased traffic volumes on a road segment to baseline traffic volumes. A road capacity need was identified when traffic volumes on a road in the vicinity of a Reservation increased by more than 2% with a proposed tribal project, and it was currently and/or projected to operate below LOS D.

When compared to baseline conditions, segments of two additional County arterials and one State highway are projected to operate below LOS D as a result of post-September 1999 new and proposed tribal projects. Road capacity improvements are now needed on segments of Lake Wohlford Road, Steele Canyon Road and SR 76.

As a result of this analysis, the need for road capacity improvements have increased on eight (8) County arterials and two (2) State highways. These arterials and highways were already found to be operating below LOS D under baseline conditions. The

proposed individual gaming and resort projects increased traffic volumes on these roads by more than 2%, and in some instances, the length of road segment needing improvement increased as a result of Tribal development projects.

Road capacity needs for each reservation were assessed individually based upon the additional traffic each Tribal project would separately generate on roads in the vicinity of the individual reservation. Several reservations in the north County (Pala, Pauma, Rincon, and San Pasqual) are located in close proximity to each other. A needs assessment based upon the combined traffic generation is also needed and is provided later in this report. New and/or increased road capacity needs that result from individual Tribal development projects are as follows:

BARONA (Based upon the Barona Ranch Resort and Casino project)

- ◆ Ashwood Street (Willow Road to Maplevue Street) – (1.0 miles)
- ◆ Maplevue Street (SR 67 to Lake Jennings Park Road) – (0.79 miles)
- ◆ San Vicente Road (Main Street to Gunn Stage Road) – (5.83 miles)
- ◆ Wildcat Canyon Road (Barona Casino entrance to Willow Road) – (5.08 miles)
- ◆ Willow Road (SR 67 to Wildcat Canyon Road) – (0.91 miles)
- ◆ SR 67 (Willow Road to Maplevue Street) – (1.19 miles)

CAMPO

The Golden Acorn casino and Truck Stop does not cause any County-maintained arterials or State highways in the vicinity of the proposed project to exceed the LOS D threshold. In order to provide appropriate access and to facilitate turn movements in the vicinity of the reservation access improvements such as acceleration/deceleration lanes and intersections improvements at nearby intersections may be needed. Additionally, a truck stop has been constructed on the Campo Reservation next to Campo's Golden Acorn Casino. This will substantially increase the number of truck trips on Church Road, Olde Highway 80 and the freeway ramps to and from Interstate 8. Maintenance costs for these roads between the truck stop and I-8 are projected to increase due the increased volume of truck traffic.

PROPOSED CUYAPAIPE (EWAIIPAAYP)

The Cuyapaipe Band of Mission Indians has signed a Tribal-State Compact for future development of a casino in Alpine, but has not yet submitted a specific project description to the County. An assessment of any future casino is not included in this report. However, it is certain that a casino will increase the need for improvements to Willows Road and Interstate 8. The Band has, however, submitted a project description and environmental assessment to the County for the relocation and expansion of a health clinic. The proposed clinic will take access from Alpine Boulevard. It is estimated that the health clinic will generate 530 ADT's. Improvements will be necessary to bring the access road from the clinic to Alpine Boulevard, and at the intersection of this access road with Alpine Boulevard. The adjacent section of Alpine Boulevard, however, would operate at or better than LOS D and, therefore, is not identified as needing improvements.

JAMUL

- ◆ Steele Canyon Road (Willow Glen Drive to Jamul Drive) – (0.49 miles)
- ◆ Willow Glen Drive (Steele Canyon Road to Jamacha Road/SR 54) – (0.78 miles)
- ◆ SR 94 (north of Avocado Boulevard to Lyons Valley Road) – (5.41 miles)

LA JOLLA

The La Jolla Band's water park. Campground and accessory uses were in place prior to the signing of the State Compact. Traffic from these uses was all ready on the road and is included in the baseline traffic estimates. The small addition of 30 slots that have been installed after the signing of the State Compact primarily service the existing customers. It is not anticipated that they will generate a substantial number of new trips to and from the site. It is not likely that the addition of these new machines would cause the need for additional improvements to the SR 76 or the reservations access to SR 76.

MANZANITA

The proposed off-road vehicle park, casino, rv park and accessory uses may substantially increase traffic volumes on access roads to the reservation. The main access to the Manzanita Reservation is via BIA Road #11, Crestwood Road and I-8. The increased traffic generated form the proposed Tribal project may create a need for incremental widening along the access road and the provision of intersectional improvements at the ramps to I-8/Crestwood Road. Specific needs for the reservation will be accessed when more information is available from the environmental documents that will be prepared for the proposed Tribal project.

PALA

- ◆ SR 76 (I-15 to Lilac Road) – (7.07 miles)

PAUMA

- ◆ SR 76 (I-15 to Lilac Road) – (7.07 miles)

RINCON *(Based upon the Harrah's Rincon Casino and Hotel project)*

- ◆ Valley Center Road (Cole Grade Road to the City of Escondido) – (5.16 miles)

SAN PASQUAL *(Based upon the Valley View Casino and future Resort project)*

- ◆ Valley Center Road (Woods Valley Road to the City of Escondido) – (2.69 miles)
- ◆ Valley Center Road (Cole Grade Road to Lilac Road) – (1.28 miles)

SYCUAN *(Based upon expansion of casino)*

- ◆ Dehesa Road (Sycuan Casino entrance to the City of El Cajon) – (5.96 miles)

VIEJAS *(Based upon expansion of Outlet Center)*

- ◆ Willows Road (Interstate 8 to Viejas Casino Entrance) – (2.27 miles)

Intersection and assess improvements are needed to improve ingress and egress from the Reservations. These improvements may include turn lanes, sight distance improvements and acceleration/deceleration lanes. The County has coordinated with the Tribes to provide these improvements. A discussion of access improvements is provided later in this report proposed Indian gaming properties.

Several roadways and state highways near the proposed Tribal projects are steep, narrow, and/or winding two-lane arterials or highways. These include Lake Wohlford Road, Wildcat Canyon Road, SR 76, and SR 94. The Barona Tribal projects increases traffic on Wildcat Canyon Road. This rural highway was built many years ago. Operating conditions on the road may be improved by making modifications to existing roadway conditions, such as alignments, grades, pavement widths, shoulders, sight distances, etc. An evaluation of the roadway to identify potential operational improvements has been performed for Wildcat Canyon Road. A discussion of this road review and its process is provided later in this report.

Over the years most improvement projects on the rural highways have addressed safety and operational concerns such as intersection upgrades, curve corrections, passing lanes, adding shoulders, etc. In recent years, however, the County and Caltrans have experienced increasing difficulty in development of these operational and safety projects. This is due to the increasing environmental sensitivity in the rural corridors that are rich in biological, historical, and visual resources. Organized opposition to improvement projects from factions within the back county communities has also surfaced. For example, residents along Wildcat Canyon Road have voiced opposition to any project that would widen this road to four lanes. In addition, a "passing lane" project on SR 94 is currently delayed as the Negative Declaration was legally challenged. Caltrans considered the elements of the suit and agreed that an EIS/EIR is the appropriate document. It is anticipated that 6 to 7 years will be required to process that document.

COMMON ROAD CAPACITY IMPROVEMENT NEEDS FOR NORTH COUNTY RESERVATIONS

In the North County, four (4) Reservations with operating and/or proposed gaming and resort projects are located in close proximity to each other. The Reservations are: Pala, Pauma, Rincon and San Pasqual. Traffic to and from the individual projects will utilize many of the same roads. When all the proposed Tribal projects are developed and fully operational, the traffic volumes on roads in the vicinity of these Reservations will increase above those identified in the above individual project analysis due to individual project trips using the same road.

Individual project trips using the same road were added together along with the existing traffic volume to estimate the combined traffic volume on road segments in the vicinity of the North County Reservations. The estimated number of trips generated for the proposed Indian gaming projects were manually distributed onto the adjacent road network. Levels of service for the road segments were then reassessed based upon the total volumes for all of the proposed Tribal projects.

Common road capacity needs based upon the combined traffic volumes were then assessed using the same criteria described in the individual analysis. These are referred to herein as common needs, because several Reservations use the same road segments for a large portion of trips to and from the Reservations. A common road capacity need was identified when a significant number (>2%) of the Tribal project trips were generated on a road segment, forecast to operate below LOS D in the combined traffic volume scenario. A summary of the traffic volumes and level of service estimates for County-maintained arterials and State highways in the vicinity of the proposed Indian Gaming projects are provided in Table 3 and shown in Figure 3 (A, B and C).

When compared to the individual project analysis, no additional County arterials or State highways are projected to operate below LOS D as a result of the combined traffic analysis. However, the length of an affected County arterial segment was increased. This was Valley Center Road between the Rincon Casino entrance and Cole Grade Road. Since several North County tribal projects utilize roads needing road capacity improvements in the vicinity of other tribal projects, the Reservations have several common road capacity needs. Road segments on which the four North County Reservations have a common road capacity need are as follows:

- ◆ Lake Wohlford Road (Woods Valley Road to City of Escondido) – (4.74 miles)
- ◆ Valley Center Road (Rincon Casino entrance to Lake Wohlford Road) – (2.56 miles)
- ◆ SR 76 (I-15 to Lilac Road) – (7.07 miles)

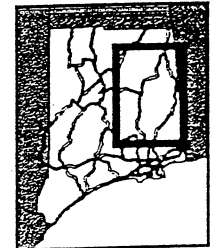
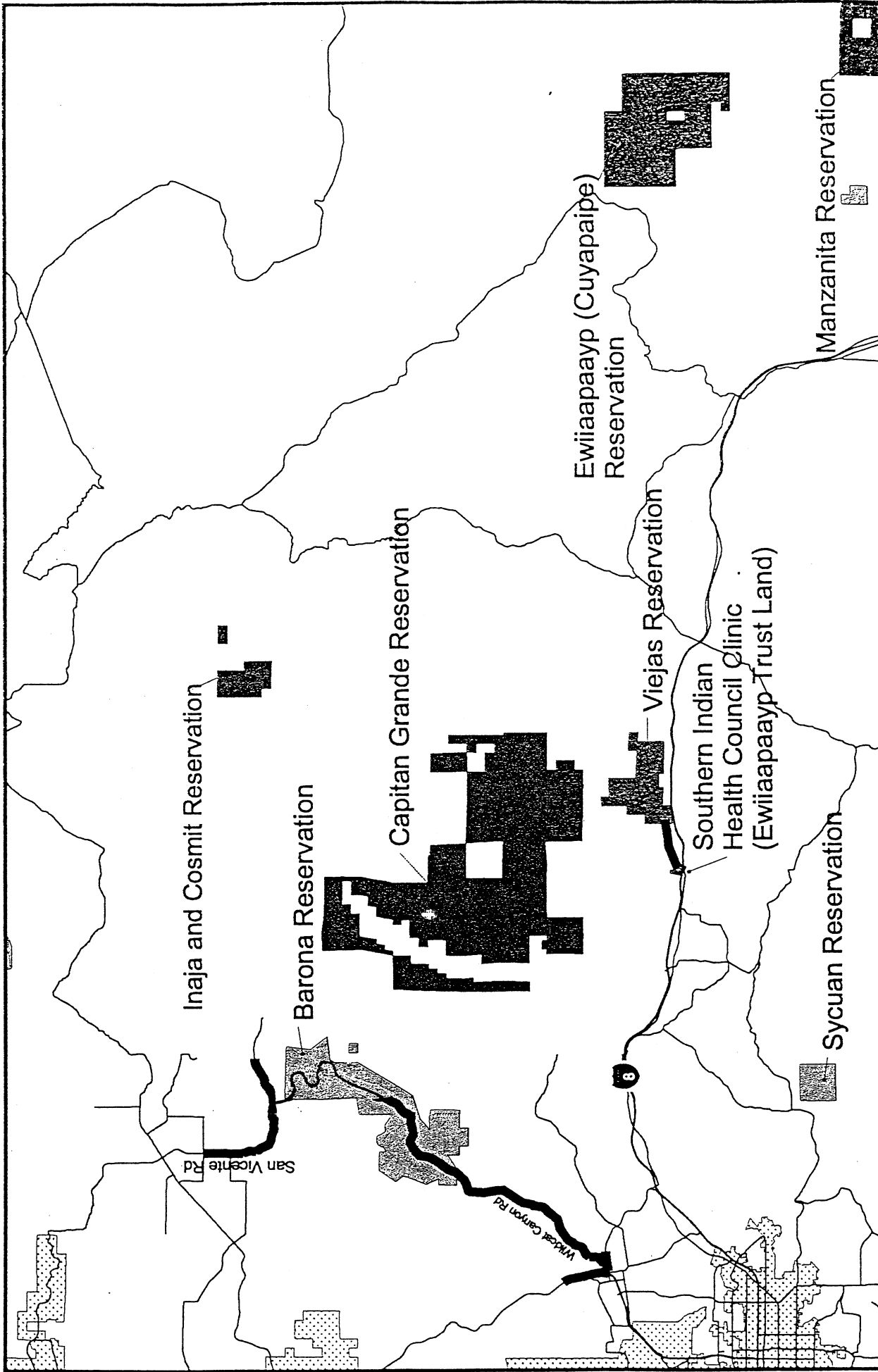
TABLE 3
Baseline, Baseline Plus Project (Temporary and Permanent) and Near-Term Cumulative Scenarios
LOS E & F Roads
(100 Trips / 1,000 Sq. Ft. of Gaming Area)

	Roadway	Segment	Baseline Road Classification	Baseline ADT*	Baseline LOS	Baseline with Temp. Project ADT*	Baseline with Temp. Project LOS	Trip Distribution **	Baseline with Perm. Project ADT*	Baseline with Perm. Project LOS	Near Term Cumulative ADT*	Near Term Cumulative LOS
BARONA												
1	Ashwood St.	Willow Rd. to Mapleview St.	LC	11.5	E			.51	15.59	E	15.59	E
3	Mapleview St.	SR 67 to Ashwood St.	LC	13	E			.29	15.32	E	15.32	E
4	Mapleview St.	Ashwood St. to Lake Jennings Park Rd.	LC	13	E			.23	14.84	E	14.84	E
5	San Vicente Rd.	Main St. to Hanson Lane	LC	11	E			.07	11.56	E	11.56	E
6	San Vicente Rd.	Hanson Lane to Warnock Rd.	LC	14	E			.07	14.56	E	14.56	E
7	San Vicente Rd.	Warnock Rd. to Wildcat Canyon Rd.	LC	14	E			.17	15.36	E	15.36	E
8	San Vicente Rd.	Wildcat Canyon Rd. to Gunn Slage Rd.	LC	12	E			.03	12.24	E	12.24	E
11	Wildcat Canyon Rd.	Barona Entrance to Willow Rd.	LC	17	F			.8	23.41	F	23.41	F
12	Willow Rd.	SR67 to Wildcat Canyon Rd.	LC	9.3	D			.29	11.62	E	11.62	E
13	SR67	Willow Rd. to Mapleview St.	2C	32	D			.29	34.32	F	34.32	F
JAMUL												
13	SR94	SR125 to Kenwood Dr.	4F	69	D			.45	73.14	E	73.14	E
15	SR94 (Campo Rd.)	Avocado Blvd. to Jamacha Rd.	4E	49	F			.45	53.14	F	53.14	F
16	SR94 (Campo Rd.)	Jamacha Rd. to Steele Canyon Rd.	2C	16	F			.65	21.98	F	21.98	F
17	SR94 (Campo Rd.)	Steele Canyon Rd. to Lyons Valley Rd.	2C	17	F			.85	24.83	F	24.83	F
18	SR94 (Campo Rd.)	Lyons Valley Rd. to Proctor Valley Rd.	2C	9	C			.9	17.29	F	17.29	F
19	SR94 (Campo Rd.)	Proctor Valley Rd. to Casino Entrance	2C	9	C			.95	17.75	F	17.75	F
21	Steele Canyon Rd.	Willow Glen Dr. to Jamul Dr.	LC	10	D			.2	11.84	E	11.84	E
24	Willow Glen Dr.	Steele Canyon Rd to SR54 (Jamacha Rd.)	LC	15	E			.15	16.38	F	16.38	F
PALA												
6	Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	LC	4.5	C			.02	4.65	C	10.95	E
7	Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits	LC	4.5	C			.02	4.65	C	10.95	E
15	SR76 (Pala Rd.)	I-15 to Rice Canyon Rd.	2C	5	A			.75	10.66	C	14.69	E
16	SR76 (Pala Rd.)	Rice Canyon Rd. to Pala Casino Entrance	2C	5	A			.8	11.04	C	15.27	E
23	Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	LC	4.3	C			.05	4.72	C	11.00	E
PAUMA												
6	Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	LC	4.5	C			.02	4.58	C	10.95	E
7	Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits	LC	4.5	C			.02	4.58	C	10.95	E
15	SR76 (Pala Rd.)	I-15 to Rice Canyon Rd.	2C	5	A			.75	8.00	C	14.69	E
16	SR76 (Pala Rd.)	Rice Canyon Rd. to Pala Casino Entrance	2C	5	A			.8	8.20	C	15.27	E
23	Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	LC	4.34	C			.05	4.54	C	11.00	E
RINGCON												
6	Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	LC	4.5	C	5.4	C	.2	5.80	C	10.95	E
7	Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits	LC	4.5	C	5.4	C	.2	5.80	C	10.95	E
16	SR76 (Pala Rd.)	I-15 to Rice Canyon Rd.	2C	5	A	5.5	B	.1	5.65	B	14.69	E

TABLE 3
Baseline, Baseline Plus Project (Temporary and Permanent) and Near-Term Cumulative Scenarios
LOS E & F Roads
(100 Trips / 1,000 Sq. Ft. of Gaming Area)

Roadway	Segment	Baseline Road Classification	Baseline ADT*	Baseline LOS	Baseline with Temp. Project ADT*	Baseline with Temp. Project LOS	Trip Distribution **	Baseline with Perm. Project ADT*	Baseline with Perm. Project LOS	Near Term Cumulative ADT*	Near Term Cumulative LOS
17 SR76 (Paia Rd.)	Rice Canyon Rd. to Pala Casino Entrance	2C	5	A	5.5	B	.1	5.65	B	15.27	E
25 Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	LC	4.34	C	8.0	D	.82	9.67	D	11.00	E
26 Valley Center Rd.	Lake Wohlford Rd. to Cole Grade Rd.	LC	5.79	C	8.6	D	.62	9.82	D	10.96	E
27 Valley Center Rd.	Cole Grade Rd. to Lilac Rd.	LC	16	E	18.7	F	.6	19.90	F	21.00	F
28 Valley Center Rd.	Lilac Rd. to SC990 (Charlan Rd.)	LC	17	F	19.0	F	.45	19.93	F	19.93	F
29 Valley Center Rd.	SC990 (Charlan Rd.) to Woods Valley Rd.	LC	18	F	20.0	F	.45	20.93	F	20.93	F
30 Valley Center Rd.	Woods Valley Rd. to Escondido City Limits	LC	18	F	20.0	F	.45	20.93	F	21.68	F
SAN PASQUAL											
6 Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	LC	4.5	C	5.8	C	.65	9.42	D	10.95	E
7 Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits	LC	4.5	C	5.8	C	.65	9.42	D	10.95	E
16 SR76 (Paia Rd.)	I-15 to Rice Canyon Rd.	2C	5	A	5.1	B	.05	5.38	B	14.69	E
17 SR76 (Paia Rd.)	Rice Canyon Rd. to Pala Casino Entrance	2C	5	A	5.1	B	.05	5.38	B	15.27	E
25 Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	LC	4.34	C	4.5	C	.1	5.10	C	11.00	E
26 Valley Center Rd.	Lake Wohlford Rd. to Cole Grade Rd.	LC	5.79	C	6.1	C	.15	6.93	C	10.96	E
27 Valley Center Rd.	Cole Grade Rd. to Lilac Rd.	LC	16	E	16.3	F	.15	17.10	F	21.00	F
28 Valley Center Rd.	Lilac Rd. to SC990 (Charlan Rd.)	LC	17	F	17.0	F	.0	17.00	F	19.93	F
29 Valley Center Rd.	SC990 (Charlan Rd.) to Woods Valley Rd.	LC	18	F	18.0	F	.0	18.00	F	20.93	F
30 Valley Center Rd.	Woods Valley Rd. to Escondido City Limits	LC	18	F	18.2	F	.1	18.76	F	21.68	F
SYCUAN											
2 Dehesa Rd.	Sycuan Casino Entrance to Harbison Canyon Rd.	LC	9	D			.95	15.38	E	15.38	E
3 Dehesa Rd.	Harbison Canyon Rd. to Willow Glen Dr.	LC	10	D			.75	15.04	E	15.04	E
4 Dehesa Rd.	Willow Glen Dr. to El Cajon City Line	LC	11	E			.6	15.03	E	15.03	E
VIEJAS											
1 Willows Rd.	West Willows Rd. to Viejas Entrance	LC	13.4	E			.95	18.13	F	18.13	F

Notes: ADT = Average Daily Traffic
LOS = Level of Service
* ADT Volumes = X 1,000
** Distributed onto New SR54 in 2020
*** .01 = 1%

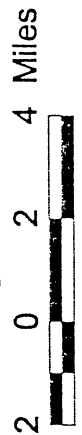


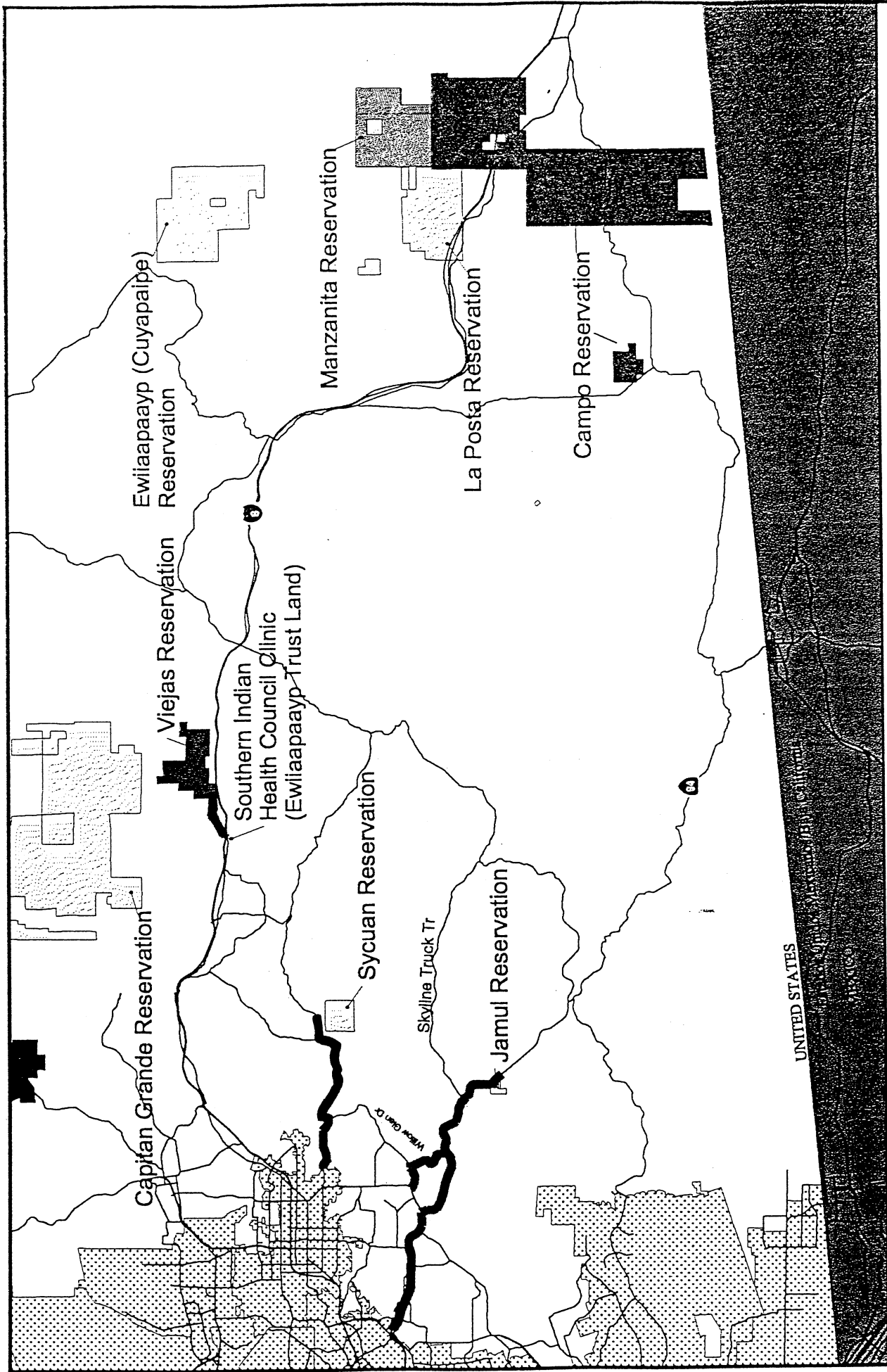
LOS E/F
Circulation Element
Incorporated Areas

Note:
Only LOS E&F roads
evaluated in the report
are depicted on figures.

LOS E&F Roadway Segments

Near Term Cumulative
Figure 3A

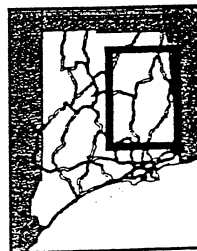




LOS E&F Roadway Segments

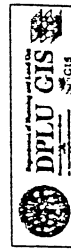
Near Term Cumulative
Figure 3B

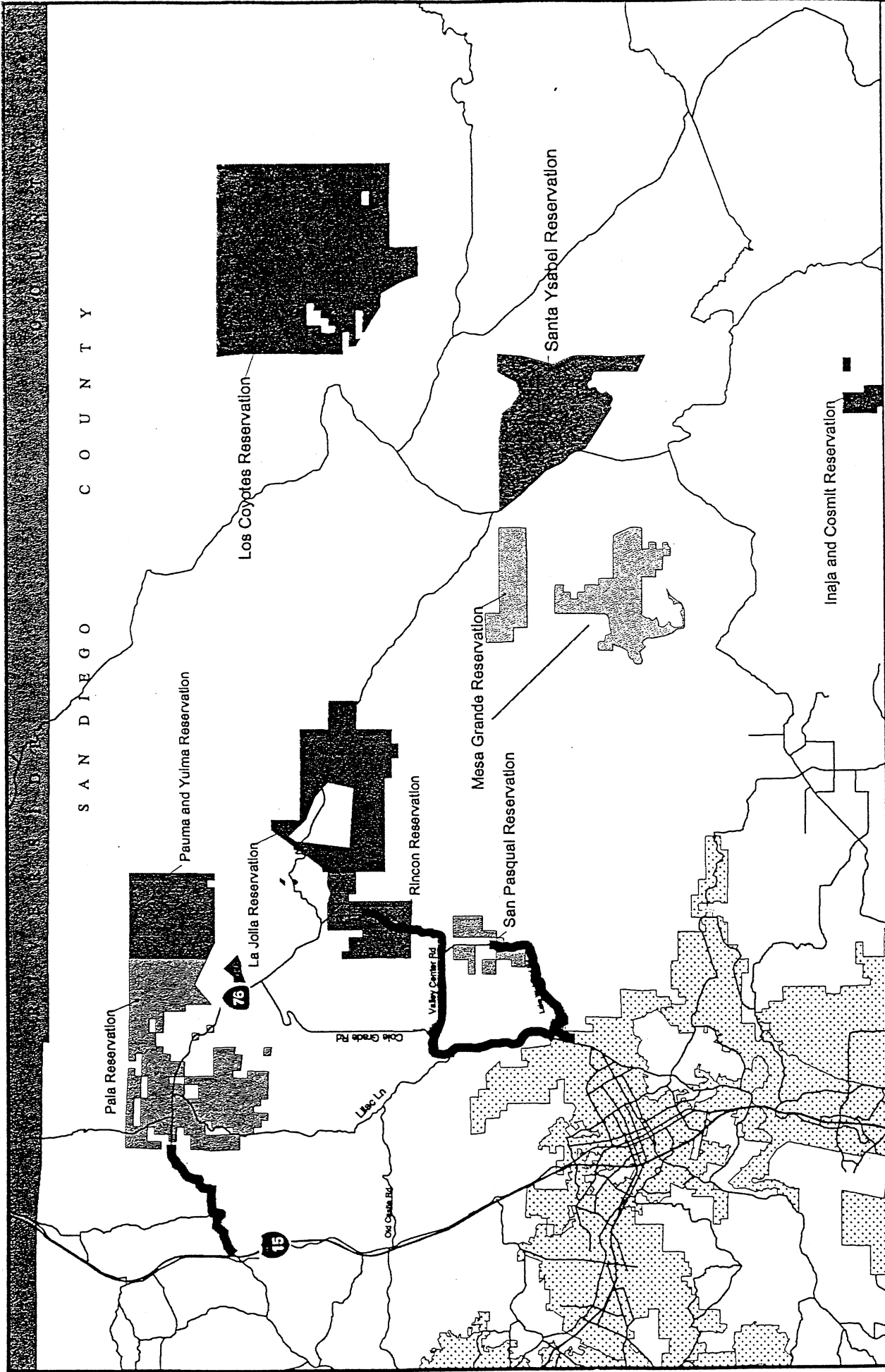
3 0 3 6 Miles



LOS E/F
Circulation Element
Incorporated Areas

Note:
Only LOS E&F roads
evaluated in the report
are depicted on figures.

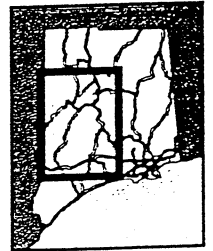




LOS E&F Roadway Segments

Near Term Cumulative
Figure 3C

LOS E/F
Circulation Element
Incorporated Areas



Note: Only LOS E&F roads evaluated in the report are depicted on figures.

2 0 2 4 Miles



BUILD-OUT COMMUNITY ROAD CAPACITY NEEDS

The County of San Diego's General Plan Circulation Element (C.E.) designates future road classifications and road capacity for County arterials. The ultimate road classifications are identified to service the traffic volumes anticipated to occur at build-out of the County's General Plan land uses. The classifications for most C.E. roads were designated before Tribal-State Compacts were signed. At that time, the County did not assume intense development on the Indian Reservations.

The County of San Diego is updating its current General Plan. Under the proposed update, General Plan 2020 (GP 2020), revisions to land uses and road classifications throughout the unincorporated area will be considered. Detailed traffic forecasts should be prepared which incorporate the proposed land uses on the Reservations. These will provide more accurate projections than those based upon the previous method of hand-distributing traffic on these C.E roads. Traffic forecasts, which are being prepared to evaluate the GP 2020 project, will incorporate traffic projections for all the post-1999 Tribal gaming and other proposed projects, including factoring in some additional growth.

The Regional Metropolitan Planning Organization (SANDAG) is making a conscious effort to limit development and growth in the backcountry by advocating densification of the existing urban areas. The 20-year Regional Transportation Plan (RTP) reflects this philosophy by limiting plans for funding capacity increasing improvements to the urban transportation system. There are no capacity increasing projects on many rural highways in the San Diego region. This includes SR 76, east of Interstate 15, and SR 67, north of Santee. The RTP should be revised to take into account Tribal projects in the rural backcountry. In particular, corridor and/or other evaluation studies should be conducted to identify appropriate road improvements in the SR 76 and SR 67 corridors. The RTP should then be revised to include any identified road improvement projects.

IMPROVEMENTS

ARTERIAL/HIGHWAY IMPROVEMENT PROJECT TYPES

ACCESS IMPROVEMENTS

The reservations are accessed via State highways and County-maintained roads. In order to ensure safe and adequate access, road improvements have been proposed at access points to the reservations from State highways and/or County-maintained roads. Access improvements are improvements that are made within and/or adjacent to road right-of-way to enhance access to and from driveways and/or service roads to large development projects. Access improvements may include turn pockets, turn lanes, acceleration/deceleration lanes, traffic signals, sight distance improvements, drainage improvements and right-of-way dedications. These improvements are typically constructed in the near term, prior to the opening of a large development.

PHASED IMPROVEMENTS

Phased improvements are developed in recognition that a large-scale road improvement project is currently or will be needed in the future, but the large-scale road improvement is not being constructed at this time. This may be due to the lack of available funding or completion of necessary studies to implement the large scale project. Phased improvements are developed and designed, to the extent possible, to be consistent with the future large scale project. They are also designed and implemented to address a specific near term need. Types of phased projects include operational improvements, short range and long range. These are usually distinguished by the time and ease of implementation of the proposed improvements.

MAJOR ARTERIAL/HIGHWAY IMPROVEMENT PROCESS

Major arterial and highway projects typically include construction of a new arterial/highway, or the widening of an existing arterial/highway to provide additional travel lanes along a substantial length of the existing road or highway. The major improvements are typically designed to provide additional capacity and serve long term needs.

Major arterial and highway projects are often constructed with State and/or federal funding. Prior to being eligible for State and/or federal funding they must be included in the Regional Transportation Plan (RTP), which is prepared by the San Diego Association of Governments (SANDAG). Once in the RTP, the projects compete regionally, Statewide and nation-wide for any available funds.

Major road improvement projects take many years to implement and construct. First, several studies must be completed; then required permits must be obtained, mitigation

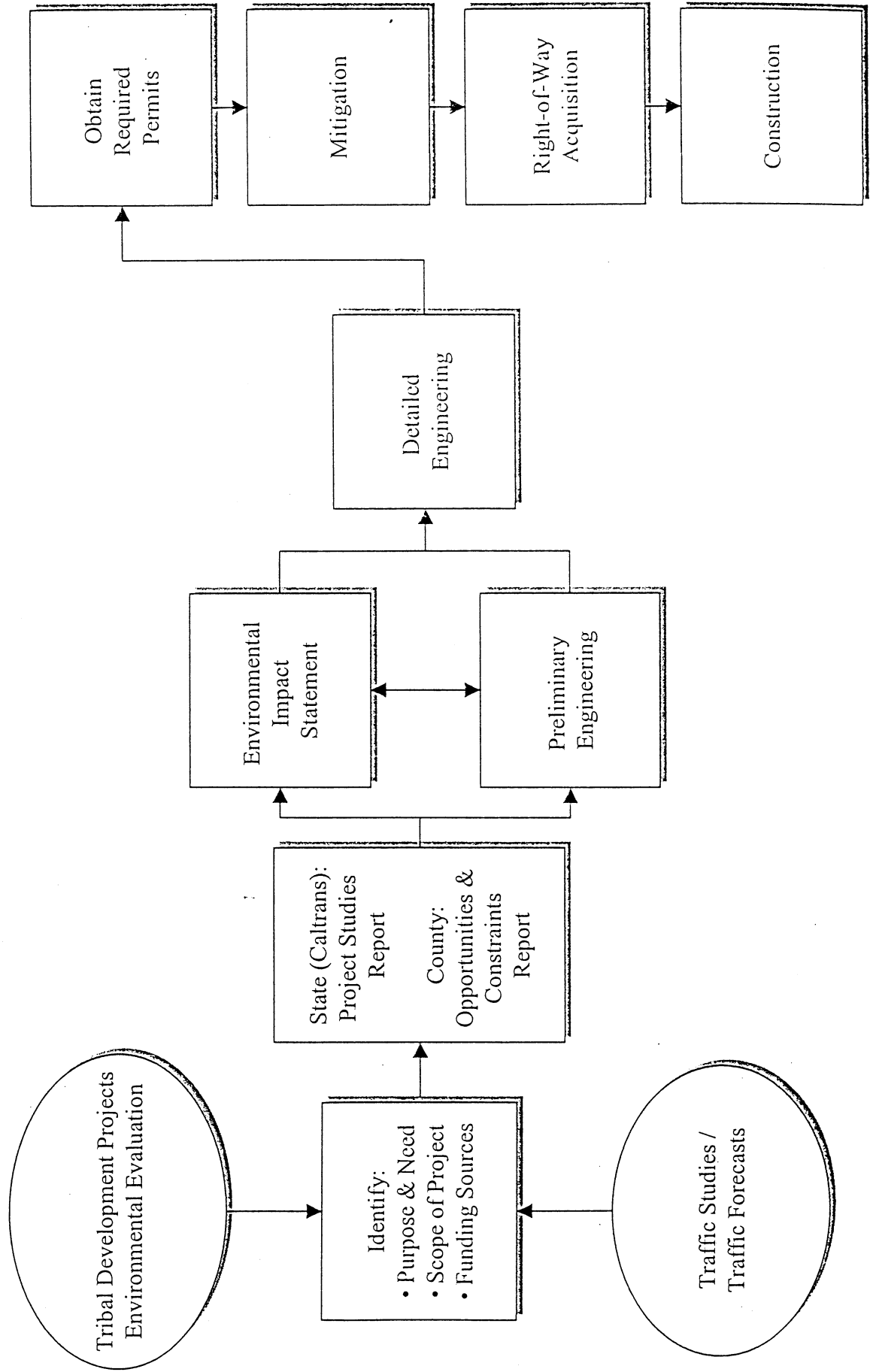
measures implemented, and right-of-way acquired; and finally, construction can begin. The time frame, from beginning to end is approximately seven (7) years to implement major improvements. Figure 4 and the list below identify the key steps for implementing a road improvement project.

- 1) Identification of purpose, need and funding;
- 2) Project Studies Report (for State highways) or an Opportunities and Constraints Report (for County arterials);
- 3) Environmental Impact Statements/Environmental Impact Reports;
- 4) Preliminary Engineering, and Detailed Engineering;
- 5) Required Permits;
- 6) Mitigation measures implemented;
- 7) Right-of-Way acquired; and
- 8) Construction commences.

Over the years, most improvement projects on rural highways have addressed safety and operational concerns such as intersection upgrades, curve corrections, passing lanes, adding shoulders, etc. In recent years, the County and Caltrans have experienced increasing difficulty implementing these operational and safety projects. This is due to the increasing environmental sensitivity in rural corridors that are rich in biological, historical, and visual resources. Organized resistance to improvement projects within the backcountry communities has also surfaced. For example, residents along Wildcat Canyon Road have voiced opposition to any project that would widen this road to four lanes. In addition, a "passing lanes" project on SR 94 is currently delayed as the Negative Declaration was legally challenged. Caltrans considered the elements of the suit, and agreed that an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) should be prepared. It is anticipated that it will take six to seven years to process that document.

Since major road improvement projects take many years to implement and construct, and require very significant funding, the County and Caltrans are considering implementing and constructing smaller projects along the existing access roads to better service the existing and near term traffic volumes. These smaller projects could include access improvements and phased improvements.

FIGURE 4
State Highway / County Arterial - Roadway Improvement Process



ACCESS IMPROVEMENTS

To ensure safe and adequate access, road improvements have been constructed or proposed at access points from Tribal projects to State highways and/or County-maintained roads. These improvements include turn pockets, turn lanes, acceleration/deceleration lanes, traffic signals, sight distance improvements, drainage improvements and right-of-way dedications.

Some of the needed access improvements will be located within and/or alongside an existing State highway. These improvements must be made according to State highway standards. For example, Pala has coordinated with Caltrans and constructed access improvements to SR 76 at their own cost. These improvements included a left turn pocket and acceleration/deceleration lanes. The estimated cost for these improvements was not available at the time this report was prepared. The Pauma/Yuima Tribe is currently coordinating with Caltrans and County staff to obtain permits to construct improvements at the intersection of Pauma Reservation Road and SR 76. A preliminary cost estimate for these improvements is \$700,000. Design for the intersection improvements has not yet been finalized.

Several of the needed access improvements will be located within and/or alongside existing County-maintained roads or road easements. These improvements must be made according to County standards. Several tribes have constructed and/or have entered into formal agreements with the County to construct access improvements. For example, the Rincon, San Pasqual and Pauma/Yuima tribes have coordinated with the County to obtain permits for access improvements to Valley Center Road, Lake Wohlford Road and Pauma Reservation Road, respectively. These improvements include sight distance improvements, left turn pockets and/or acceleration/deceleration lanes. The estimated cost of improvements in County right-of-way is \$686,000 for Rincon, \$807,905 for San Pasqual, and \$22,000 for Pauma/Yuima. In addition, the San Pasqual Band has also agreed to construct a 17-foot retaining wall to improve sight distance on their Reservation at an additional cost. The Pauma/Yuima Band is also coordinating with the County to construct widening along Pauma Reservation Road. Pauma's estimated cost for these improvements is \$600,000.

The Barona Band has recently submitted a set of draft improvement plans to the County for access improvements at the entrances to the Barona Casino. These include turn lanes, acceleration/deceleration lanes, and a traffic signal at the main entrance. Detailed cost estimates for these improvements have not yet been prepared.

The Campo Band has submitted striping plans and initiated the preparation of improvement plans for access improvements at the entrances to the Golden Acorn Casino and Truck Stop. These improvements include turn pockets, and increasing curb radii. Since the improvement plans have not yet been finalized, cost estimates for the proposed improvements are not available.

The Viejas Band has constructed road and access improvements to Willows Road adjacent to the Reservation. These improvements include the provision of additional

travel lanes adjacent to the Viejas Casino and Outlet Center, a traffic signal and turn lanes. The cost of these improvements is estimated to be \$1.9 million.

As discussed earlier in this report, the Sycuan Band contributed \$250,000 toward improvements at Dehesa Road and Dehesa Elementary School.

Work within the County maintained right-of-way requires a construction permit from the County. Some tribes initially questioned whether, legally, they are required to obtain a permit. At this time, each tribe that is planning to connect casino access to County roads have stated that they want to obtain permits and construct the improvements to County standards. They have also started coordinating with County staff in the preparation of these improvements.

The County has worked with several tribes to expedite review and process of improvement plans for access and frontage improvements. These efforts include identification of design parameters, review of improvement plans, environmental review of the proposed improvement project, preparation of environmental documentation, and issuance of construction permits.

PHASED IMPROVEMENTS

IDENTIFICATION PROCESS

Due to funding, environmental and/or engineering constraints, major road improvements to many access roads serving the Reservations will not be constructed in the near term. Operational and interim road improvements can be pursued to accommodate existing and projected traffic needs in these corridors. The County of San Diego utilizes a Road Review Process to identify operational and/or interim road improvements that can improve traffic operations and traffic flow along specified corridors.

The objective of a road review is to identify methods of improving traffic operations along a specified road segment. Deficiencies on and along the road segment are identified, and recommendations are made to correct those deficiencies and improve traffic safety and operation. The recommendations are separated into three categories: operational improvements, short-range construction improvements and long-range construction improvements.

OPERATIONAL IMPROVEMENTS

Operational improvements are relatively low cost improvements that can be completed within the existing right-of-way with little or no environmental/engineering studies. Typically, they can be implemented within a few months. Examples of operational improvements include the following:

- ◆ Signage and striping;
- ◆ Sight distance improvement by minor side slope grading (less than 6' high), and the removal and trimming of vegetation;

- ◆ Removal of obstructions, such as small boulders and trees;
- ◆ Limited guardrail installation ;
- ◆ Culvert installations or extensions; and
- ◆ Shoulder and parkway grading.

SHORT-RANGE CONSTRUCTION IMPROVEMENTS

Short-range construction improvements are mid-size projects. They are higher cost improvements requiring funding through the Capital Improvement Program budget process and/or an outside funding source . Implementation of these projects will typically require extensive engineering, right-of-way acquisition and/or environmental documentation and clearance. These projects typically take in excess of two years to complete after project identification. Examples of short-range improvements are:

- ◆ Major side slope grading (>6' high) for sight distance;
- ◆ Extensive guardrail installation ;
- ◆ Installation of mountable dikes and parkway grading;
- ◆ Construction of turnouts; and
- ◆ Left and right turn channelization;

LONG-RANGE ROADWAY CONSTRUCTION IMPROVEMENTS

Long-range construction improvements are large-scale projects requiring substantial funding, major design services, and significant right-of-way acquisition. These projects require extensive environmental clearance activities, and often take many years to plan and complete. Long range projects provide additional road capacity and/or address a specific need, but do not necessarily constitute the ultimate road improvements planned for the corridor as identified in the County of San Diego's General Plan Circulation Element. Examples of long-range improvements include the following:

- ◆ Major curve realignment;
- ◆ Construction of passing lanes; and
- ◆ Intersection reconstruction/signalization.

Funding sources have not been identified for most identified long-range improvements. Funding sources may include: voluntary fairshare contributions, which have been offered by several Indian tribes, State and federal funding, Special Distribution Fund specified in Tribal-State Compacts, and other special one-time funding. A discussion and assessment of potential tribal fairshare contributions and regional funding sources is provided later in the report.

ROAD REVIEWS

SAN VICENTE ROAD

The County has performed a road review for San Vicente Road in the Ramona area. The focus of this review was to provide safety enhancements for San Vicente Road between Warnock and Wildcat Canyon Roads. A team of experts in traffic, road design, road maintenance and field engineering performed a detailed field review to determine/identify improvements that could be made within the existing right-of-way to improve roadway operations. The review recommended several improvements which consisted of increasing line of sight through curves by removing trees, cutting back embankments and the grading of shoulders.

The County has implemented these improvements at a cost of approximately \$100,000. Road operations have since significantly improved, and the improvements have been well received by the community. Based upon the success of this effort, the County has decided to implement this program on other roads in the unincorporated area. Roads that provide access to the tribal projects have a high priority for implementation. The County has completed road reviews for Wildcat Canyon Road near Barona, Valley Center Road in the proximity of Rincon Casino, and has begun work on a road review for Dehesa Road near Sycuan.

WILDCAT CANYON ROAD

Road reviews have been conducted for Wildcat Canyon Road near the Barona Reservation. The road reviews were conducted separately for two sections of Wildcat Canyon Road. These were 1) Wildcat Canyon Road South, from Willows Road to the Barona Casino entrance; and 2) Wildcat Canyon Road North, from the Barona Casino entrance to San Vicente Road. The road reviews identified a series of operational, short-range and long-range improvements that can be made to Wildcat Canyon Road to enhance the traffic flow along the existing road. The identified improvements are as follows:

- ◆ Operational improvements that can be made include the trimming of existing vegetation, removal of trees, grading of banks/slopes, drainage/culvert improvements, shoulder widening, and the removal or extension of the cattle guard. The total cost associated with the identified operational improvements for Wildcat Canyon Road South was estimated to be \$500,000. The County of San Diego has begun implementing the first priority operational improvements along Wildcat Canyon Road South. The County is utilizing San Diego County (gas tax) funds to complete these improvements. An estimate to complete the operational improvements for Wildcat Canyon North has not yet been completed. It is anticipated that the County will also fund the operational improvements to Wildcat Canyon North utilizing (gas tax) funds.
- ◆ Short range improvements that can be made to Wildcat Canyon Road North include the following; additional drainage and slope grading improvements, shoulder improvements, construction of turnouts, and the provision of turn lanes

and turn pockets. It is estimated that the cost associated with these improvements is \$1,800,000. A funding mechanism to complete these improvements has not yet been identified. Potential funding sources include County gas tax funds, contributions from the Barona Band and federal grants.

- ◆ Long-range improvements that can be made to Wildcat Canyon Road North include the reconstruction of several curve sections, the provision of passing lanes and several intersection improvements. The associated cost is estimated to range between \$14.5 and \$22 million. A funding mechanism to complete these improvements has not yet been identified. Potential funding sources include County gas tax funds, contributions from the Barona Band and State and federal grants.
- ◆ At build-out of the County's General Plan land uses and the current Barona gaming and hotel project, forecast traffic volumes indicate that Wildcat Canyon Road will need to be widened to four lanes from the Barona Casino south to Willow Road, and to three lanes from the Barona Casino north to San Vicente Road. The total cost of these improvements is estimated to be \$52.5 million. A funding mechanism to complete these improvements has not yet been identified. Potential funding sources include County gas tax funds, contributions from the Barona Band and State and federal grants.

VALLEY CENTER ROAD

At the time the Rincon Casino first opened, County staff monitored the traffic increases and road conditions. Traffic advisory signs were placed on the road near the entrance to the Rincon Casino. Upon the completion of access improvements by the Tribe and driver assimilation of the road conditions, the traffic advisory signs were taken down. A detailed road review of Valley Center Road for more extensive operational improvements, however, has not been conducted.

DEHESA ROAD

County staff performed an operational review of Dehesa Road in the fall of 2001. During this review recommendations were made for the placement of additional signage and for the restriping of portions of Dehesa Road. These recommendations have since been implemented by the County. It is estimated that the cost of the signage and restriping was approximately \$5,000.

ARTERIAL/HIGHWAY IMPROVEMENT COST ESTIMATES

TIMING

Prior to construction of a road improvement project many studies must be completed. Figure 4 identifies the key steps to implement a road improvement project. These include the following; 1) Identification of purpose and need, 2) Project Studies Report (for State highways) or an opportunities and constraints report (for County arterials), 3) Environmental Impact Statements/Environmental Impact Reports, 4) Preliminary

Engineering, and Detailed Engineering. Prior to construction, required permits must also be obtained, mitigation measures implemented and right-of-way acquired.

COST ESTIMATES

In the previous report, dated November 1, 2000 cost estimates to fully improve roads impacted by each Indian gaming project were prepared. These cost estimates have been revised. They differ from those identified in the previous report because the estimated impacted miles of road have changed and for some roads, such as Lake Wohlford Road and Wild Canyon Road, the cost estimates were revised to better reflect steep terrain and significant environmental issues that would be associated with the construction of road improvements along these roads.

The length of each impacted arterial and highway segment is provided in Table 4. The total miles of impacted County-maintained arterials is 38.5 miles. The number of travel lanes needed to bring the impacted arterial and highway segment to LOS D or better is also identified in Table 4. Additional studies, however, should be conducted to determine the actual improvements that will be needed.

A rough cost estimate for constructing the identified County-maintained arterial improvements was obtained by applying a cost per lane mile factor. This factor was determined by comparing the costs of developing and constructing similar road improvements. The cost estimates are very preliminary and are based upon average costs and general assumptions. Actual costs for each improvement project will vary based upon environmental constraints, mitigation measures, engineering features, right-of way acquisitions, and other factors. Additional studies should be conducted to provide more detailed and accurate cost estimates for each project.

A rough cost estimate for constructing the identified County-maintained arterial improvements was obtained by applying a cost per lane mile factor. This factor was determined by comparing the costs of developing and constructing similar road improvements. The cost estimates are very preliminary and are based upon average costs and general assumptions. Actual costs for each improvement project will vary based upon environmental constraints, mitigation measures, engineering features, right-of way acquisitions, and other factors. Additional studies should be conducted to provide more detailed and accurate cost estimates for each project. Based upon the average length of impacted road or highway segment and a general cost per lane mile factor, estimates of the cost to construct improvements to County-maintained arterials were prepared. The estimated total cost for needed improvements to County arterials is approximately \$150 million dollars.

It is estimated that approximately 17 miles of State highways would be impacted. Previously for the November 1, 2000 report Caltrans prepared preliminary cost estimates for needed improvements to State highways. Currently, Caltrans staff is further evaluating the SR 67, SR 76, SR 94 highway corridors to identify specific highway improvements and their cost, which will accommodate the increased generated by the casinos.

County Arterials

It is estimated that 38.5 miles of County-maintained arterials in the vicinity of the Reservations will need additional road capacity improvements. Of those 38.5 miles of County arterials, approximately 15.6 were identified under Baseline Conditions as needing improvements solely due to non-Tribal development in the unincorporated area. The additional 22.9 miles is due to existing and near term development of Tribal projects.

Cost estimates for improving each of the County arterial segments were prepared for the November 1, 2000 Report assuming the construction of one or two additional lanes, as needed by the forecasted future traffic volumes to improve to the roads to an acceptable level of service (no less than LOS D). An estimated length of impacted road segment and an average improvement cost factor of \$1.8 million per lane mile were used to calculate road improvement costs for each of the impacted segments. The cost estimate was increased for roads with steep or rocky terrain and/or extensive environmental constraints. These estimates were very preliminary, and were based upon average costs and general assumptions.

The cost estimates in this report have been revised. They differ from those identified in the previous report because the ADT rate was lowered for casinos; the estimated impacted miles of road have changed; and for some roads, such as Lake Wohlford Road and Wildcat Canyon Road, the cost estimates were revised to better reflect steep terrain and significant environmental issues that would be associated with the construction of road improvements along these roads. Actual costs for each improvement project will vary based upon environmental constraints, mitigation measures, engineering features, right-of-way acquisitions, and other factors (such as inflation, public opposition, utility relocations and storm water/drainage considerations).

As shown in Table 4, the estimated total cost to construct improvements to County-maintained arterials is \$150 million. This was obtained by summing the cost estimates obtained for each of the individual road segments. Of this amount the Tribes' fairshare is estimated to be approximately \$25 million.

It should be noted that for the Barona, Sycuan and Viejas Bands, the cost and fairshare estimates presented in this report only reflect the increment of the recent or proposed expansions of their projects. It is expected that, in addition to addressing the impacts of the post-Compact additions/expansions, the County and these three tribes will discuss contributions toward mitigating the impacts of the pre-Compact gaming facilities and adjoining uses.

Cost and fairshare estimates for state highways were not prepared in this report, because these highway improvements have yet been fully identified. Caltrans will continue to work with the tribes to determine fairshare improvements to mitigate impacts to the State highways.

TABLE 4
Roadway Improvement Costs
(100 Trips/1,000 Sq.Ft. of Gaming Area)

	Road	Segment	Near-Term Cumulative ADT (x 1,000)	Near-Term Cumulative LOS (E&F)	Length of Segment (Miles)	Additional Lanes Needed to Accommodate Traffic	Cost Factor/Mile Estimate (x1,000)	Cost to Implement (x1,000)
BARONA								
1	Ashwood St.	Willow Rd. to Mapleview St.	15.59	F	1.00	2	*	\$4,741
2	Mapleview St.	SR67 to Ashwood St.	15.32	E	0.31	1	1,800	\$558
3	Mapleview St.	Ashwood St. to Lake Jennings Park Rd.	14.84	E	0.48	1	1,800	\$864
4	San Vicente Rd/11th St.	Main St. to Hanson Lane	11.56	E	1.17	1	1,800	\$2,106
5	San Vicente Rd.	Hanson Lane to Warnock Dr.	14.56	E	0.75	1	1,800	\$1,350
6	San Vicente Rd.	Warnock Dr. to Wildcat Canyon Rd.	15.36	E	2.20	1	3,600 ***	\$7,920
7	San Vicente Rd.	Wildcat Canyon Rd. to Gunn Stage Rd.	12.24	E	1.71	1	3,600 ***	\$6,156
8	Wildcat Canyon Rd.	Barona Casino Entrance to Willow Rd.	21.21	F	5.08	2	7,200 ***	\$36,576
9	Willow Rd.	SR67 to Wildcat Canyon Rd.	11.62	E	0.91	1	1,800	\$1,638
BARONA - COUNTY SUBTOTALS					13.61			\$61,909
JAMUL ****								
1	Steele Canyon Rd.	Willow Glen Dr. to Jamul Dr.	11.84	E	0.49	1	1,800	\$882
2	Willow Glen Dr.	Steele Canyon Rd to SR54 (Jamacha Rd.)	16.38	F	0.78	2	3,600	\$2,808
JAMUL - COUNTY SUBTOTALS					1.27			\$3,690
PALA, PAUMA, RINCON, SAN PASQUAL								
1	Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	10.95	E	1.44	1	*	\$5,188
2	Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits**	10.95	E	3.30	1	*	\$11,877
3	Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	11.00	E	2.56	1	*	\$5,400
4	Valley Center Rd.	Lake Wohlford Rd. to Cole Grade Rd.	10.96	E	2.91	1	*	\$5,238
5	Valley Center Rd.	Cole Grade Rd. to Lilac Rd.	21.00	F	1.28	2	*	\$7,929
6	Valley Center Rd.	Lilac Rd. to SC990(Charlan Rd)	19.93	F	0.94	2	*	\$5,823
7	Valley Center Rd.	SC990(Charlan Rd) to Woods Valley Rd.	20.93	F	0.25	2	*	\$1,549
8	Valley Center Rd.	Woods Valley Rd. to Escondido City Limits	21.68	F	2.69	2	*	\$12,000
PALA, PAUMA, RINCON, SAN PASQUAL - COUNTY SUBTOTALS					15.37			\$55,004
SYCUAN								
1	Dehesa Rd.	Sycuan Casino Entrance to Harbison Canyon Rd.	15.38	E	0.75	2	3,600	\$2,700
2	Dehesa Rd.	Harbison Canyon Rd. to Willow Glen Dr.	15.04	E	3.23	2	3,600	\$11,628
3	Dehesa Rd.	Willow Glen Dr. to El Cajon City Line	15.03	E	1.98	2	3,600	\$7,128
SYCUAN - COUNTY SUBTOTALS					5.96			\$21,456
VIEJAS								
1	Willows Rd.	West Willows Rd. to Viejas Entrance	18.13	F	2.27	2	3,600	\$8,172
VIEJAS - COUNTY SUBTOTALS					2.27			\$8,172
ALL PROJECTS (100 Trips / 1,000 Sq. Ft.)								
TOTAL MILES - COUNTY FACILITIES					38.48	COUNTY TOTAL	\$150,231	

Note: * Estimates based on detailed engineering cost analysis

** Does not include portion of Lake Wohlford Road which enters and exits the City of Escondido.

*** Wildcat Canyon Road and San Vicente Road both have rough terrain which affects

**** The Jamul project analyzed in this report is based on information provided in the Jamul Indian Village EIS (Environmental Impact Statement) dated December 2002.

It is not intended that the above estimated road improvement costs be the sole responsibility of the Indian tribes. Implementation of the above road improvements would alleviate existing congestion and/or provide excess road capacity in many road corridors. Private land development is also occurring and will continue to occur in the identified road corridors. The County, State and future land development in the area also share in the responsibility for the identified road improvements. The estimated road improvement costs, however, provide the first step in preparing fairshare contribution estimates for the Indian gaming projects.

It should be noted that the cost estimates and fair share calculations presented in this report only reflect the increment of proposed expansion for the existing Barona, Sycuan and Viejas facilities. These tribes have expressed an interest in providing contributions toward mitigating the impacts of the existing facilities. County staff will coordinate with these tribes to obtain additional mitigation for additional traffic and impacts associated with the existing Indian gaming facilities.

FAIR-SHARE CONTRIBUTIONS

Before fairshare estimates can be calculated a road improvement project must be identified and a cost estimate prepared for that project. In the absence of identified road improvement projects and detailed construction cost estimates, the assumed road improvements and projected cost estimates identified herein were used to develop initial fairshare estimates for the proposed Indian gaming projects. These fairshare estimates were based upon the percentage of traffic on the road segment generated by the proposed land development project.

The total cost for the above projects is significant. The tribes, however, have expressed a willingness to make fair share contributions toward road improvements. Although willing to pay their fairshare, the Tribes also believe other land development projects along the rural corridors should also pay their fairshare. Contributions from future developments within the unincorporated area along the impacted corridors may also be obtained. These would be done on a project by project basis as a condition of development for those projects. It, however, is not certain when and if these project would go forward in the near term and be subject to making contributions toward road improvements.

Many existing approved projects (such as Tentative Parcel Maps, Tentative Maps and Major Use Permits) in the SR 76 corridor are not likely conditioned to make contributions toward improvements in the SR 76 corridor. SR 76 east of I-15 currently operates at LOS B. Projects previously processed in the SR 76 corridor would not likely have been conditioned to make contributions toward improving this highway segment since their projects are not likely to impact the corridor. They may, however, be conditioned to make improvements at their project access to SR 76. The ramps from SR 76 onto I-15, however, are operating at or below LOS D and some projects have been conditioned to make improvements to the ramps. The existing projects can not be reconditioned unless subject to a discretionary approval at a future date. Other projects, such as the Gregory Canyon Landfill and Rosemary's Mountain Rock Quarry are in various stages of the approval process. Depending upon what stage these

projects are in the approval process, contributions and/or construction toward future improvements to SR 76 may become a condition of approval for these projects.

Calculation of fairshare contributions toward road and highway improvements should be based upon a detailed cost estimate that has been calculated after the road improvement project has been identified, environmental constraints have been assessed and preliminary engineering/design of the road improvements prepared. The actual cost for completion of the road improvement project will vary considerably as the project is developed. Other factors should also be considered in the calculation of fairshare contributions. These include 1) the percentage of the road improvement cost that will not receive State, federal and/or County funding, 2) other development projects in the area which will generate traffic on the road or highway being improved and 3) the time frame when the construction activity will take place.

Before fairshare estimates can be calculated a road improvement project must be identified and a cost estimate prepared for that project. In the absence of identified road improvement projects and detailed construction cost estimates, the assumed road improvements and projected cost estimates identified herein were used to develop initial fairshare estimates for the proposed Indian gaming projects. These fairshare estimates were based upon the percentage of traffic on the road segment generated by the proposed land development project.

Indian gaming projects are proposed on several reservations within the North County area. Due to their proximity to one another, the potential exists for them to share in the costs for the needed road improvements. Under a "worst case scenario," cost distributions have been estimated for each of the Tribes in the North County (Pala, Pauma, Rincon, and San Pasqual). In the "worst case scenario," it was assumed that no State and/or Federal funds were obtained for completion of the road improvements and that the entire cost of road improvements would be paid by the Indian Tribes. Costs were estimated for each reservation in proportion to the amount that each individual Indian gaming project would increase the traffic volume on the road segment. Costs attributable to each of these tribes for the needed road improvements are summarized in Table 5.

It is not assumed that the tribes would pay the entire cost of the road improvements. The cost distributions, however, are intended to serve as the first step in the preparation of fairshare estimates. They identify the total cost of road improvement projects in which the Indian tribes should make fair-share contributions. Fair-share contributions from future developments in the area are also expected to be collected. Several of the roads are also currently operating below LOS D due to existing traffic volumes. Funding to improve existing congestion from County, State and/or Federal sources may also be obtained.

Final fairshare estimates should be prepared in coordination and cooperation with each individual Indian tribe. Collection of fairshare contributions from the individual Indian tribes toward road improvements in the unincorporated area will likely require the negotiation of cooperative agreements between each individual tribe and the County of San Diego.

TABLE 5

Individual Project Contribution to Roadway Improvement Costs for Barona Expansion Project

COUNTY OF SAN DIEGO METHOD

Project ADT x Cost of Improvement = Tribal Cost Share Amount*

Max. LOS 'E' ADT Capacity

(100 Trips / 1,000 Sq. Ft. of Gaming Area)

	Road	Segment	LOS 'E' Design Capacity with Assumed Improvements	Length of Segment (Miles)	Total Cost of Improvement (x1,000)	Barona Expansion Project ADT	Barona Expansion Project % of LOS 'E' Capacity	Barona Tribal Cost Share (x1,000)
BARONA								
1	Ashwood St.	Willow Rd. to Mapleview St.	34.2	1.00	\$4,741	4.09	11.94%	\$566
2	Mapleview St.	SR67 to Ashwood St.	19	0.31	\$558	2.32	12.23%	\$68
3	Mapleview St.	Ashwood St. to Lake Jennings Park Rd.	19	0.48	\$864	1.84	9.70%	\$84
4	San Vicente Rd/11th	Main St. to Hanson Lane	19	1.17	\$2,106	0.56	2.95%	\$62
5	San Vicente Rd.	Hanson Lane to Warnock Dr.	19	0.75	\$1,350	0.56	2.95%	\$40
6	San Vicente Rd.	Warnock Dr. to Wildcat Canyon Rd.	19	2.20	\$7,920	1.36	7.17%	\$568
7	San Vicente Rd.	Wildcat Canyon Rd. to Gunn Stage Rd.	19	1.71	\$6,156	0.24	1.26%	\$0**
8	Wildcat Canyon Rd.	Barona Casino Entrance to Willow Rd.	34.2	5.08	\$36,576	6.41	18.74%	\$6,853
9	Willow Rd.	SR67 to Wildcat Canyon Rd.	19	0.91	\$1,638	2.32	12.23%	\$200
COUNTY TOTALS					\$61,909			\$8,441

Notes: - All ADT and Monetary figures: x 1,000

- The above cost estimates for Barona were based only upon the incremental impacts associated with the proposed expansion project.

* - These estimates do not include costs associated with any access/frontage improvements, permit/plan check fees and/or other road improvements which may be made on the reservation (outside of the county right-of-way).

** - TCS is \$0 because Project % of LOS 'E' Capacity is below 2%.

TABLE 5

Individual Project Contribution to Roadway Improvement Costs for Jamul **

COUNTY OF SAN DIEGO METHOD

Project ADT x Cost of Improvement = Tribal Cost Share Amount*

Max. LOS 'E' ADT Capacity

(100 Trips / 1,000 Sq. Ft. of Gaming Area)

Road		Segment	LOS 'E' Design Capacity with Assumed Improvements	Length of Segment (Miles)	Total Cost of Improvement (x1,000)	Jamul Project ADT	Jamul % of LOS 'E' Capacity	Jamul Tribal Cost Share (x1,000)
JAMUL								
1	Steele Canyon Rd.	Willow Glen Dr. to Jamul Dr.	19	0.49	\$882	1.84	9.69%	\$85
2	Willow Glen Dr.	Steele Canyon Rd to SR54 (Jamacha Rd.)	34.2	0.78	\$2,808	1.38	4.04%	\$113
COUNTY TOTALS					\$3,690			\$199

Notes: - All ADT and Monetary figures: x 1,000

* - These estimates do not include costs associated with any access/frontage improvements, permit/plan check fees and/or other road improvements which may be made on the reservation (outside of the county right-of-way).

* - The Jamul project analyzed in this report is different from the project that was proposed in the Jamul EIS Scoping report dated July 2002. The final assessment of impacts and fair-share contributions will be based on the EIS and the Jamul project in its final form.

TABLE 5

Individual Project Contribution to Roadway Improvement Costs for Pala, Pauma, Rincon, and San Pasqual

COUNTY OF SAN DIEGO METHOD

$$\text{Project ADT} \times \text{Cost of Improvement} = \text{Tribal Cost Share Amount}$$

Max. LOS 'E' ADT Capacity

(100 Trips / 1,000 Sq. Ft. of Gaming Area)

	Road	Segment	LOS 'E' Design Capacity with Assumed Improvements	Length of Segment (Miles)	Total Cost of Improvement (x1,000)	Pala Project ADT	Pala % of LOS 'E' Capacity	Pala Tribal Cost Share (x1,000)	Pauma Project ADT	Pauma % of LOS 'E' Capacity	Pauma Tribal Cost Share (x1,000)	Rincon Project ADT	Rincon % of LOS 'E' Capacity	Rincon Tribal Cost Share (x1,000)	San Pasqual Project ADT	San Pasqual % of LOS 'E' Capacity	San Pasqual Tribal Cost Share (x1,000)
PALA, PAUMA, RINCON, SAN PASQUAL																	
1	Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	19	1.44	\$5,188	0.15	0.79%	\$41	0.08	0.42%	\$22	1.30	6.84%	\$355	2.65	13.95%	\$1,225 **
2	Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits	19	3.30	\$11,877	0.15	0.79%	\$94	0.08	0.42%	\$50	1.30	6.84%	\$813	4.92	25.91%	\$2,145 **
3	Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	19	2.56	\$5,400	0.38	1.99%	\$107	0.20	1.05%	\$57	5.33	28.05%	\$1,515	0.76	3.99%	\$215
4	Valley Center Rd.	Lake Wohlford Rd. to Cole Grade Rd.	19	2.91	\$5,238	0	0.00%	\$0	0	0.00%	\$0	4.03	21.21%	\$1,111	1.14	5.98%	\$313
5	Valley Center Rd.	Cole Grade Rd. to Lilac Rd.	34.2	1.28	\$7,929	0	0.00%	\$0	0	0.00%	\$0	3.90	11.40%	\$904	1.10	3.21%	\$254
6	Valley Center Rd.	Lilac Rd. to SC990 (Charlan Rd.)	34.2	0.94	\$5,823	0	0.00%	\$0	0	0.00%	\$0	2.93	8.55%	\$498	0.00	0.00%	\$0
7	Valley Center Rd.	SC990(Charlan Rd) to Woods Valley Rd.	34.2	0.25	\$1,549	0	0.00%	\$0	0	0.00%	\$0	2.93	8.55%	\$132	0.00	0.00%	\$0
8	Valley Center Rd.	Woods Valley Rd. to Escondido City Limits	34.2	2.69	\$12,000	0	0.00%	\$0	0	0.00%	\$0	2.93	8.55%	\$1,026	0.76	2.21%	\$266
COUNTY TOTALS														\$6,354			\$4,418
														\$129			
														\$243			

Notes: - All ADT and Monetary figures: x 1,000

* - These estimates do not include costs associated with any access/frontage improvements, permit/plan check fees and/or other road improvements which may be made on the reservation (outside of the county right-of-way).

** - These estimates for San Pasqual take into account the proposed driveway location of the permanent casino that is approximately 1.00 miles south of Guejito Road.

TABLE 5

Individual Project Contribution to Roadway Improvement Costs for Sycuan (Expansion Project)

COUNTY OF SAN DIEGO METHOD

Project ADT x Cost of Improvement = Tribal Cost Share Amount*

Max. LOS 'E' ADT Capacity

(100 Trips / 1,000 Sq. Ft. of Gaming Area)

	Road	Segment	LOS 'E' Design Capacity with Assumed Improvements	Length of Segment (Miles)	Total Cost of Improvement (x1,000)	Sycuan Expansion Project ADT	Sycuan % of LOS 'E' Capacity	Sycuan Tribal Cost Share (x1,000)
SYCUAN								
1	Dehesa Rd.	Sycuan Casino Entrance to Harbison Canyon R	34.2	0.75	\$2,700	6.38	18.66%	\$504
2	Dehesa Rd.	Harbison Canyon Rd. to Willow Glen Dr.	34.2	3.23	\$11,628	5.04	14.73%	\$1,713
3	Dehesa Rd.	Willow Glen Dr. to El Cajon City Line	34.2	1.98	\$7,128	4.03	11.78%	\$840
COUNTY TOTALS					\$21,456			\$3,057

Notes: - All ADT and Monetary figures: x 1,000

- The above cost estimates for Sycuan were based only upon the incremental impacts associated with the proposed expansion project.
- * - These estimates do not include costs associated with any access/frontage improvements, permit/plan check fees and/or other road improvements which may be made on the reservation (outside of the county right-of-way).

TABLE 5

Individual Project Contribution to Roadway Improvement Costs for Viejas (Expansion)

COUNTY OF SAN DIEGO METHOD

Project ADT x Cost of Improvement = Tribal Cost Share Amount*

Max. LOS 'E' ADT Capacity

(100 Trips / 1,000 Sq. Ft. of Gaming Area)

Road	Segment	LOS 'E' Design Capacity Improvements	Length of Segment (Miles)	Total Cost of Improvement (x1,000)	Viejas Project ADT	Viejas % of LOS 'E' Capacity	Viejas Tribal Cost Share (x1,000)
VIEJAS							
1 Willows Rd.	West Willows Rd. to Viejas Entrance	34.2	2.27	\$8,172	4.73	13.83%	\$1,130
COUNTY TOTALS				\$8,172			\$1,130

Notes: - All ADT and Monetary figures: x 1,000
 - The above cost estimates for Viejas were based only upon the incremental impacts associated with the proposed expansion project.
 * - These estimates do not include costs associated with any access/frontage improvements, permit/plan check fees and/or other road improvements which may be made on the reservation (outside of the county right-of-way).

COOPERATIVE AGREEMENTS

Significant contributions for roadway improvements have been offered by the Rincon, San Pasqual and Pauma Bands. The County of San Diego has entered into cooperative agreements with each of these bands. The bands voluntarily agreed to contribute funding for frontage and offsite improvements to County-maintained arterials. The Department of Public Works has worked with the Chief Administrative Office, County Counsel and individually with each tribal band to identify a lists of necessary road improvements, calculations of "fairshare" tribal contributions, a timeline for improvements and a corresponding schedules of contributions. The tribes agreed to make contributions toward improvements to Valley Center Road, Lake Wohlford Road and/or Pauma Reservation Road. The total contributions were as follows: \$7,030,000 from Rincon, \$6,149,349 from San Pasqual and \$1,451,800 from Pauma.

Each tribal band will contribute funding for road improvements to mitigate road impacts from casino traffic on County-maintained roads leading to its casino project. The amount each tribal band is contributing was calculated on a fair share basis by estimating traffic impact to affected areas. The tribal bands are not charged for the improvements as a condition of development, however is making voluntary contributions. The County has no permitting authority over construction of casinos on tribal lands.

The County will be responsible for preparation of studies, engineering, environmental review, right-of-way acquisition and construction needed to complete the offsite road improvements identified in the agreement. Contributions for road improvements considered costs for all the project components. If the improvements are determined to be infeasible by the Board, or are reduced in scope, the County will reduce the tribal band's obligation under the agreement. Payments to the County from each tribal band are to be made when the County is ready to bid construction contracts. These payments will be escalated for inflation from the agreement date to the payment date. Additionally, the tribal bands agreed to a limited waiver of sovereign immunity for enforcement of the agreement, as well as a letter of credit to secure the contribution payments.

The cooperative agreements described above can be used as a models for future agreements can be reached with other tribes in the San Diego region. Meetings will be scheduled with Barona, Pala, Sycuan and Viejas to negotiate fairshare contributions to mitigate frontage and off-site impacts of their proposed projects.

In addition to the above cooperative agreements contributions have also been made by the Barona and Sycuan Bands toward road improvements adjacent to their existing casinos. The Barona Band has agreed to contribute \$1.4 million; and the BIA has agreed to contribute \$3 million for improvements to Wildcat Canyon Road. The Sycuan Band has contributed \$250,000 toward improvements to Dehesa Road and the access to Dehesa Elementary School.

POTENTIAL REGIONAL FUNDING SOURCES

The estimated \$144 million in needed improvements on County Arterials is beyond what can be funded with the \$7 million average annual allocation of San Diego County gas tax funds. Regional TransNet funds from the 1987 Proposition A (the San Diego Transportation Improvement Program) approved by the voters have already been fully allocated. Although an extension of the TransNet sales tax has been suggested by some, it can not be assumed that such an extension would provide sufficient funds for these improvements.

Priorities and commitments have been established for the currently allocated State and federal funds. Improvements to rural highways, due to construction or expansion of Tribal projects, will need to compete region-wide for additional funding as it becomes available. The County and several of the Bands have expressed an interest in lobbying jointly to obtain State and federal funds for the road improvements identified in this report.

Traditionally, funding for capacity increasing projects for the San Diego region is directed by the San Diego Association of Governments (SANDAG) and is part of the State Transportation Improvement Plan (STIP). SANDAG programs its available funding through the development of the Regional Transportation Improvement Plan, which is approved every four years by the SANDAG Board. The SANDAG Board includes representation from each of the 18 cities and County in the San Diego Region. It does not currently include representation from the Indian Tribes. Several Indian tribes have requested representation on the SANDAG Board.

Priorities and commitments have been established for the currently allocated State and federal funds. Improvements to rural highways, needed as a result of new or expansion of Tribal development projects would compete region-wide for additional funding as it becomes available. The County and several of the Bands have expressed a joint interest in lobbying to obtain State and federal funds for road improvements in the vicinity of the Reservations.

Potential funding sources to mitigate traffic impacts from Tribal development projects include:

- ◆ Fairshare contributions from the Bands. The cooperative agreements described above can be used as models for future agreements with other tribes in San Diego County. Meetings will be scheduled with Barona, Pala, Sycuan and Viejas to negotiate fairshare contributions to mitigate frontage and off-site impacts of their existing and/or proposed casino projects. Final fairshare estimates will be prepared in coordination and cooperation with each individual Band. The fairshare contributions from the individual Bands will likely require negotiation of cooperative agreements between each Band and the County of San Diego.

- ◆ Revenues generated from the Special Distribution Fund, per the Compacts, to fund transportation infrastructure. The Bands have established a Reservation Transportation Authority with representation from each of the tribes. One of the goals for this group is to lobby for those funds to be returned and invested in San Diego County; and
- ◆ State funding from the Interregional Improvement Plan (IIP) approved by the California Transportation Commission (CTC).
- ◆ Special one-time State and/or federal funding - Attempts should be made to obtain special one-time State and/or federal funding. Coordination and joint lobbying for this funding with the Bands should be encouraged. Any commitments from the Bands for funding contributions towards the needed road improvements could potentially serve as a local match to help leverage State and/or federal funding for the needed road improvements.
- ◆ An extension of the 1987 Proposition A TransNet sales tax is being considered for placement on the ballot in a future election. If placed on the ballot and approved by the voters, than additional funds may become available. Road improvements in the vicinity of the Reservations would compete with other projects in the San Diego region for TransNet funding.

The normal funding methods for road improvements can not meet the anticipated need for road improvements. Attempts should also be made to obtain special one-time State and/or federal funding. Commitments should be obtained from the Indian tribes for funding contributions towards the needed road improvements. These could serve as a local match to help leverage federal and/or State funding for the needed road improvements.

EXHIBITS

TABLE E-1
Indian Gaming Report - Roadway Segment Levels of Service
(100 Trips / 1,000 Sq. Ft. of Gaming Area)

Roadway	Segment	Baseline Road Classification	Baseline ADT*	Baseline LOS	Baseline with Temp. Project ADT*	Baseline with Temp. Project LOS	Trip Distribution ***	Baseline with Perm. Project ADT*	Baseline with Perm. Project LOS	Near Term Cumulative ADT*	Near Term Cumulative LOS	Future Road Classification	Build Out (Year 2020) ADT*	Build Out (Year 2020) LOS	Trip Distribution ***	Build Out (Year 2020) with Project ADT*	Build Out (Year 2020) Project LOS	Build Out (Year 2020) Cumulative ADT*	Build Out (Year 2020) Cumulative LOS
BARONA																			
1	Ashwood St.	LC	11.5	E			.51	15.59	E	15.59	E	LC	18	F	.51	22.09	F	22.09	F
2	Dye Rd.	LC	5	C			.10	5.80	C	5.80	C	C	12	A	.10	12.80	A	12.80	A
3	Mapleview St.	LC	13	E			.29	15.32	E	15.32	E	MR	28	C	.29	30.32	D	30.32	D
4	Ashwood St. to Lake Jennings Park Rd.	LC	13	E			.23	14.84	E	14.84	E	MR	28	C	.23	29.84	D	29.84	D
5	San Vicente Rd.	LC	11	E			.07	11.56	E	11.56	E	MR	11	A	.07	11.56	A	11.56	A
6	San Vicente Rd.	LC	14	E			.07	14.56	E	14.56	E	MR	6	A	.07	6.56	A	6.56	A
7	San Vicente Rd.	LC	14	E			.17	15.36	E	15.36	E	MR	16	B	.17	17.36	B	17.36	B
8	San Vicente Rd.	LC	12	E			.03	12.24	E	12.24	E	MR	12	A	.03	12.24	A	12.24	A
9	Wildcat Canyon Rd.	LC	6	C			.2	7.60	D	7.60	D	LC	5	C	.2	6.60	C	6.60	C
10	Wildcat Canyon Rd.	LC	6	C			.8	21.21	F	21.21	F	LC	10	D	.2	11.60	E	11.60	E
11	Wildcat Canyon Rd.	LC	14.8	E			.8	21.21	F	21.21	F	LC	24	F	.8	30.41	F	30.41	F
12	Willow Rd.	LC	9.3	D			.29	11.62	E	11.62	E	LC	13	E	.29	15.32	E	15.32	E
13	SR67	2C	32	D			.29	34.32	F	34.32	F	4C	41	F	.29	43.32	F	43.32	F
CAMPO / KUMEYAAY																			
1	I-8		10.4	A			.05	10.68	A	10.68	A		28	A	.05	5.636			
2	I-8		11.2	A			.85	15.99	A	15.99	A		37	B	.85	41.79	B		
3	Live Oak Springs	LC	0.3	A			.1	0.86	A	0.86	A	LC	11	E	.1	11.56	E		
4	Old Highway 80	LC	0.9	A			.9	5.97	C	5.97	C	MR	15	B	.9	20.07	B		
5	Old Highway 80	LC	0.9	A			.1	1.46	A	1.46	A	MR	13	A	.1	13.56	A		
6	SR94		1.1	A			.1	1.66	A	1.66	A		10	C	.1	10.56	C		
7	SR94		1.1	A			.1	1.66	A	1.66	A		12	D	.1	12.56	D		
CUYAPAPE																			
1	Pine Hills Rd.	LC	1.4	A								LC	3	B					
2	SR78/79		3.7	B									11	C					
3	SR78/79		4.1	B									9	C					
4	Sunrise Highway	LC	0.4	A								LC	0.2	A					
5	Sunrise Highway	LC	0.6	A								LC	5	C					
JAMUL																			
1	Jamacha Blvd.	C	26	C			.2	27.84	D	27.84	D	**	**	**		9.21	**	**	**
2	Jamacha Blvd.	C	25	C			.2	26.84	C	26.84	C	**	**	**		**	**	**	**
3	Jamacha Blvd.	C	15	B			.2	16.84	B	16.84	B	**	**	**		**	**	**	**
4	Jamacha Rd.	C	27	C			.15	28.38	D	28.38	D	PA	20	A	.05	20.46	A	20.46	A
5	Jamacha Rd.	C	27	C			.15	28.38	D	28.38	D	PA	18	A	.05	18.46	A	18.46	A

TABLE E-1
Indian Gaming Report – Roadway Segment Levels of Service
(100 Trips / 1,000 Sq. Ft. of Gaming Area)

Roadway	Segment	Baseline Road Classification	Baseline ADT*	Baseline LOS	Baseline with Temp. Project ADT*	Baseline with Temp. Project LOS	Trip Distribution ***	Baseline with Perm. Project ADT*	Baseline with Perm. Project LOS	Near Term Cumulative ADT*	Near Term Cumulative LOS	Future Road Classification	Build Out (Year 2020) ADT*	Build Out (Year 2020) LOS	Trip Distribution ***	Build Out (Year 2020) with Project ADT*	Build Out (Year 2020) Cumulative ADT*	Build Out (Year 2020) Cumulative LOS
6 Jamacha Rd.	Chase Ave. to Washington Ave.	C	26	C			.15	27.38	C	27.38	C	MR	22	B	.05	22.46	22.46	B
7 Jefferson Rd.	SR94 (Campo Rd.) to Lyons Valley Rd.	C	3	A			.05	3.46	A	3.46	A	C	7	A	.05	7.46	7.46	A
8 Lyons Valley Rd.	Skyline Truck Trail to SR94 (Campo Rd.)	LC	6	C			.05	6.46	C	6.46	C	C	25	C	.05	25.46	25.46	C
9 Proctor Valley Rd.	SR94 (Campo Rd.) to Chula Vista City Line	LC	2	B			.05	2.46	B	2.46	B	C	20	B	.2	21.84	21.84	B
10 SR54 (2020)	SR125 to SR94												34	A	.1	34.92	34.92	A
11 SR54 (2020)	SR94 to Fury Lane												19	A	.05	19.46	19.46	A
12 SR54 (2020)	Fury Lane to Jamacha Rd.												20	A	.05	20.46	20.46	A
13 SR94	SR125 to Kenwood Dr.	4F	69	D			.45	73.14	E	73.14	E	6F	120	E	.45	124.14	124.14	F
14 SR94	Kenwood Dr. to Avocado Blvd.	4F	56	C			.45	60.14	C	60.14	C	6F	89	C	.45	93.14	93.14	D
15 SR94 (Campo Rd.)	Avocado Blvd. to Jamacha Rd.	4E	49	F			.45	53.14	F	53.14	F	6C	71	F	.45	75.14	75.14	F
16 SR94 (Campo Rd.)	Jamacha Rd. to Steele Canyon Rd.	2C	16	F			.65	21.98	F	21.98	F	4C	53	F	.6	58.52	58.52	F
17 SR94 (Campo Rd.)	Steele Canyon Rd. to Lyons Valley Rd.	2C	17	F			.85	24.83	F	24.83	F	4C	54	F	.7	60.44	60.44	F
18 SR94 (Campo Rd.)	Lyons Valley Rd. to Proctor Valley Rd.	2C	9	C			.9	17.29	F	17.29	F	4C	23	C	.75	29.91	29.91	C
19 SR94 (Campo Rd.)	Proctor Valley Rd. to Casino Entrance	2C	9	C			.95	17.75	F	17.75	F	4C	22	C	.95	30.75	30.75	D
20 SR94 (Campo Rd.)	Casino Entrance to Olaj Lakes Rd.	2C	9	C			.05	9.46	C	9.46	C	2C	22	F	.05	22.46	22.46	F
21 Steele Canyon Rd.	Willow Glen Dr. to Jamul Dr.	LC	10	D			.2	11.84	E	11.84	E	C	11	A	.1	11.92	11.92	A
22 Steele Canyon Rd.	Jamul Dr. to SR94 (Campo Rd.)	LC	4.8	C			.2	6.64	C	6.64	C	C	11	A	.1	11.92	11.92	A
23 Willow Glen Dr.	Hillsdale Rd. to Steele Canyon Rd.	LC	9	D			.05	9.46	D	9.46	D	C	11	A	.05	11.46	11.46	A
24 Willow Glen Dr.	Steele Canyon Rd to SR54 (Jamacha Rd.)	LC	15	E			.15	16.38	F	16.38	F	C	20	B	.05	20.46	20.46	B
LA JOLLA																		
1 SR76	S. Grade Rd. to E. Grade Rd.		2	B						2.8	B		7	B			7.8	B
2 SR76	E. Grade Rd. to SR 79		1.4	B						2.2	B		5	B			5.2	B
3 SR79	Riverside/San Diego CL to San Felipe Rd.		1.3	B						1.3	B		2-12	B-D			2-12	B-D
4 SR79	San Felipe Rd. to SR76		2.4	B						2.4	B		10	C			10	C
5 SR79	SR76 to SR78 (Julian Rd.)		2.3	B						2.3	B		10	C			10	C
MANZANITA																		
1 La Posta Rd.	SR94 to I-8	LC	0.3	A								LC	5-9	A-D				
2 Old Highway 80	La Posta Rd. to Live Oak Springs Rd.	LC	0.9	A								LC	2-15	A-B				
3 SR94	Buckman Springs Rd. to La Posta Rd.		1.1	A									7-13	C-D				
4 SR94	La Posta Rd. to Live Oak Springs Rd.		1.1	A									7-19	C-F				
MESA GRANDE																		
1 SR76	S. Grade Rd. to E. Grade Rd.		2	B						2.8	B		7	B			7.8	B
2 SR76	E. Grade Rd. to SR 79		1.4	B						2.2	B		5	B			5.2	B
3 SR79	Riverside/San Diego CL to San Felipe Rd.		1.3	B						1.3	B		2-12	B-D			2-12	B-D
4 SR79	San Felipe Rd. to SR76		2.4	B						2.4	B		10	C			10	C
5 SR79	SR76 to SR78 (Julian Rd.)		2.3	B						2.3	B		10	C			10	C
PALA																		
								7,550								7,55		

TABLE E-1
Indian Gaming Report - Roadway Segment Levels of Service
(100 Trips / 1,000 Sq. Ft. of Gaming Area)

Roadway	Segment	Baseline Road Classification	Baseline ADT*	Baseline LOS	Baseline with Temp. Project ADT*	Baseline with Temp. Project LOS	Trip Distribution ***	Baseline with Perm. Project ADT*	Baseline with Perm. Project LOS	Near Term Cumulative ADT*	Near Term Cumulative LOS	Future Road Classification	Build Out (Year 2020) ADT*	Build Out (Year 2020) LOS	Trip Distribution ***	Build Out (Year 2020) with Project ADT*	Build Out (Year 2020) with Project LOS	Build Out (Year 2020) Cumulative ADT*	Build Out (Year 2020) Cumulative LOS
1 Cole Grade Rd.	SR76 (Pala Rd.) to Cool Valley Rd.	LC	2	B			.05	2.38	B	2.86	B	C	23	C	.05	23.38	C	23.86	C
2 Cole Grade Rd.	Cool Valley Rd. to Fruitvale Rd.	LC	10	D			.05	10.38	D	10.86	D	C	27	C	.05	27.38	C	27.86	D
3 Cole Grade Rd.	Fruitvale Rd. to Valley Center Rd.	TC	12	D			.05	12.38	D	12.86	D	C	34	E	.05	34.38	F	34.86	F
4 Lake Wohlford Rd.	Valley Center Rd. to San Pasqual Casino Ent. (Temp.)	LC	2.4	B			.02	2.55	B	5.82	C	C	9	A	.02	9.15	A	12.80	A
5 Lake Wohlford Rd.	San Pasqual Casino Ent. (Temp.) to Woods Valley Rd.	LC	2.4	B			.02	2.55	B	9.61	D	C	9	A	.02	9.15	A	12.80	A
6 Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	LC	4.5	C			.02	4.65	C	10.95	E	C	20	B	.02	20.15	B	24.56	C
7 Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits	LC	4.5	C			.02	4.65	C	10.95	E	C	24	C	.02	24.15	C	30.08	D
8 LiIac Rd.	SR76 (Pala Rd.) to Couser Canyon Rd.	LC	1	A			.05	1.38	A	2.00	B	LC	3	B	.1	3.76	B	4.16	C
9 LiIac Rd.	Couser Canyon Rd. to W. LiIac Rd.	LC	1	A			.05	1.38	A	2.00	B	LC	6	C	.1	6.76	C	7.16	D
10 LiIac Rd.	W. LiIac Rd. to Old Castle Rd.	LC	3	B			.05	3.38	B	4.00	B	LC	6	C	.1	6.76	C	7.16	D
11 LiIac Rd.	Old Castle Rd. to Anthony Rd.	LC	8	D			.05	8.38	D	10.54	D	C	8	A	.1	8.76	C	9.86	A
12 LiIac Rd.	Anthony Rd. to Valley Center Rd.	LC	8	D			.05	8.38	D	10.54	D	C	17	B	.1	17.76	B	18.86	B
13 Pala Temecula Rd.	Riv./S.D. County Line to SR76 (Pala Rd.)	LC	3	B			.05	3.38	B	3.58	B	LC	12	E	.05	12.38	E	12.58	E
14 Rice Canyon Rd.	Rainbow Valley Blvd. to SR76 (Pala Rd.)	LC	1	A			.05	1.38	A	1.58	A	LC	5	C	.05	5.38	C	5.58	C
15 SR76 (Pala Rd.)	I-15 to Rice Canyon Rd.	2C	5	A			.75	10.86	C	14.69	E	4C	26	E	.7	31.29	F	35.11	F
16 SR76 (Pala Rd.)	Rice Canyon Rd. to Pala Casino Entrance	2C	5	A			.8	11.04	C	15.27	E	4C	21	D	.75	26.66	E	30.69	E
17 SR76 (Pala Rd.)	Pala Casino Entrance to Pala Temecula Rd.		5	A			.2	6.51	B	10.74	D	4C	21	D	.25	22.89	D	26.92	E
18 SR76 (Pala Rd.)	Pala Temecula Rd. to LiIac Rd.		5	A			.15	6.13	B	10.98	D		9	C	.2	10.51	D	15.16	E
19 SR76 (Pala Rd.)	LiIac Rd. to Pauma Casino Entrance		3	A			.1	3.76	A	8.81	C		8	C	.1	8.76	C	13.81	E
20 SR76 (Pala Rd.)	Pauma Casino Entrance to Cole Grade Rd.		3	A			.1	3.76	A	5.61	B		8	C	.1	8.76	C	10.61	D
21 SR76 (Pala Rd.)	Cole Grade Rd. to Valley Center Rd.		3	A			.05	3.38	A	5.03	A		7	B	.05	7.38	C	9.03	C
22 Valley Center Rd.	SR76 (Pala Rd.) to Rincon Casino Entrance	LC	3.7	B			.05	4.03	B	6.15	C	C	8	A	.05	8.38	A	10.50	A
23 Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	LC	4.3	C			.05	4.72	C	11.00	E	C	14	B	.05	14.38	B	20.66	B
PAUMA																			
1 Cole Grade Rd.	SR76 (Pala Rd.) to Cool Valley Rd.	LC	2	B			.05	2.20	B	2.86	B		23	C	.05	4.000		23.86	C
2 Cole Grade Rd.	Cool Valley Rd. to Fruitvale Rd.	LC	10	D			.05	10.20	D	10.86	D	C	27	C	.05	23.20	C	27.86	D
3 Cole Grade Rd.	Fruitvale Rd. to Valley Center Rd.	TC	12	D			.05	12.20	D	12.86	D	C	34	E	.05	34.20	F	34.86	F
4 Lake Wohlford Rd.	Valley Center Rd. to San Pasqual Casino Ent. (Temp.)	LC	2.4	B			.02	2.48	B	5.82	C	C	9	A	.02	9.08	A	12.80	A
5 Lake Wohlford Rd.	San Pasqual Casino Ent. (Temp.) to Woods Valley Rd.	LC	2.4	B			.02	2.48	B	9.61	D	C	9	A	.02	9.08	A	12.80	A
6 Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	LC	4.5	C			.02	4.58	C	10.95	E	C	20	B	.02	20.08	B	24.56	C
7 Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits	LC	4.5	C			.02	4.58	C	10.95	E	C	24	C	.02	24.08	C	30.08	D
8 LiIac Rd.	SR76 (Pala Rd.) to Couser Canyon Rd.	LC	1	A			.05	1.20	A	2.00	B	LC	3	B	.1	3.40	B	4.16	C
9 LiIac Rd.	Couser Canyon Rd. to W. LiIac Rd.	LC	1	A			.05	1.20	A	2.00	B	LC	6	C	.1	6.40	C	7.16	D
10 LiIac Rd.	W. LiIac Rd. to Old Castle Rd.	LC	3	B			.05	3.20	B	4.00	B	LC	6	C	.1	6.40	C	7.16	D
11 LiIac Rd.	Old Castle Rd. to Anthony Rd.	LC	8	D			.05	8.20	D	10.54	D	C	8	A	.1	8.40	A	9.86	A
12 LiIac Rd.	Anthony Rd. to Valley Center Rd.	LC	8	D			.05	8.20	D	10.54	D	C	17	B	.1	17.40	B	18.86	B

TABLE E-1
Indian Gaming Report - Roadway Segment Levels of Service
(100 Trips / 1,000 Sq. Ft. of Gaming Area)

Roadway	Segment	Baseline ADT*	Baseline LOS	Baseline with Temp. Project ADT*	Baseline with Temp. Project LOS	Trip Distribution ***	Baseline with Perm. Project ADT*	Baseline with Perm. Project LOS	Near Term Cumulative ADT*	Near Term Cumulative LOS	Future Road Classification	Build Out (Year 2020) ADT*	Build Out (Year 2020) LOS	Trip Distribution ***	Build Out (Year 2020) with Project ADT*	Build Out (Year 2020) with Project LOS	Build Out (Year 2020) Cumulative ADT*	Build Out (Year 2020) Cumulative LOS
13	Pala Temecula Rd.																	
14	Rice Canyon Rd.																	
15	SR76 (Pala Rd.)																	
16	SR76 (Pala Rd.)																	
17	SR76 (Pala Rd.)																	
18	SR76 (Pala Rd.)																	
19	SR76 (Pala Rd.)																	
20	SR76 (Pala Rd.)																	
21	SR76 (Pala Rd.)																	
22	Valley Center Rd.																	
23	Valley Center Rd.																	
RINCON																		
1	Cole Grade Rd.																	
2	Cole Grade Rd.																	
3	Cole Grade Rd.																	
4	Lake Wohlford Rd.																	
5	Lake Wohlford Rd.																	
6	Lake Wohlford Rd.																	
7	Lake Wohlford Rd.																	
8	Lilac Rd.																	
9	Lilac Rd.																	
10	Lilac Rd.																	
11	Lilac Rd.																	
12	Lilac Rd.																	
13	Old Castle Rd.																	
14	SC990 (Charlan Rd.)																	
15	SC990 (Charlan Rd.)																	
16	SR76 (Pala Rd.)																	
17	SR76 (Pala Rd.)																	
18	SR76 (Pala Rd.)																	
19	SR76 (Pala Rd.)																	
20	SR76 (Pala Rd.)																	
21	SR76 (Pala Rd.)																	
22	SR76 (Pala Rd.)																	
23	SR76 (Pala Rd.)																	
24	Valley Center Rd.																	

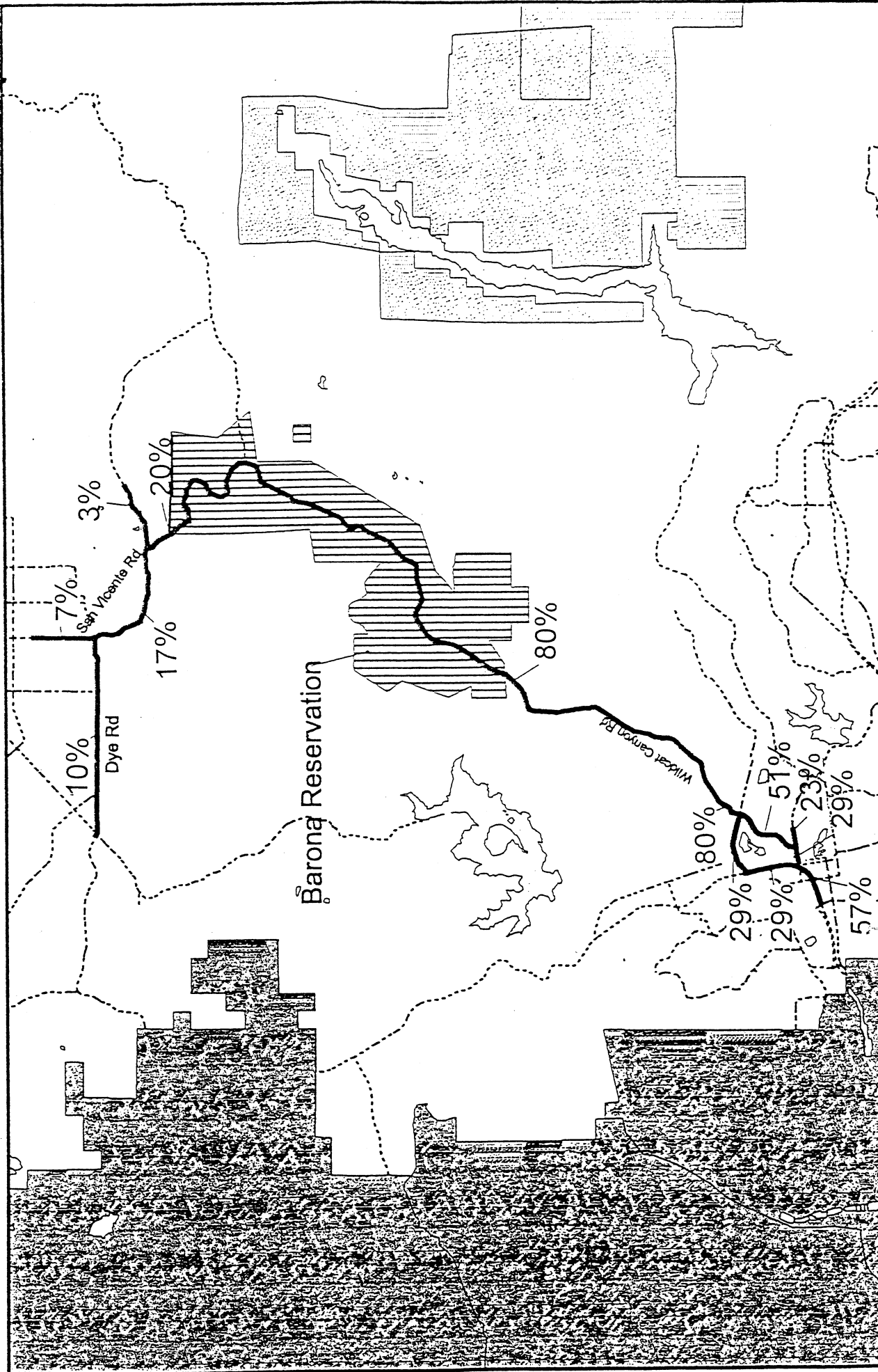
TABLE E-1
Indian Gaming Report - Roadway Segment Levels of Service
(100 Trips / 1,000 Sq. Ft. of Gaming Area)




Roadway	Segment	Baseline Road Classification	Baseline ADT*	Baseline LOS	Baseline with Temp. Project ADT*	Baseline with Temp. Project LOS	Trip Distribution ***	Baseline with Perm. Project ADT*	Baseline with Perm. Project LOS	Near Term Cumulative ADT*	Near Term Cumulative LOS	Future Road Classification	Build Out (Year 2020) ADT*	Build Out (Year 2020) LOS	Trip Distribution ***	Build Out (Year 2020) with Project ADT*	Build Out (Year 2020) with Project LOS	Build Out (Year 2020) Cumulative ADT*	Build Out (Year 2020) Cumulative LOS
25 Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	LC	434	C	8.0	D	.82	9.67	D	11.00	E	C	14	B	.82	19.33	B	20.66	B
26 Valley Center Rd.	Lake Wohlford Rd. to Cole Grade Rd.	LC	579	C	8.6	D	.62	9.82	D	10.96	E	C	12	A	.62	16.03	B	17.54	B
27 Valley Center Rd.	Cole Grade Rd. to Lilac Rd.	LC	16	E	18.7	F	.6	19.90	F	21.00	F	PA	47	D	.6	50.90	E	52.26	E
28 Valley Center Rd.	Lilac Rd. to SC990 (Charlan Rd.)	LC	17	F	19.0	F	.45	19.93	F	19.93	F	PA	53	E	.55	56.58	E	57.56	F
29 Valley Center Rd.	SC990 (Charlan Rd.) to Woods Valley Rd.	LC	18	F	20.0	F	.45	20.93	F	20.93	F	PA	52	E	.35	54.28	E	54.81	E
30 Valley Center Rd.	Woods Valley Rd. to Escondido City Limits	LC	18	F	20.0	F	.45	20.93	F	21.68	F	PA	52	E	.35	54.28	E	54.50	E
SAN PASQUAL																			
1 Cole Grade Rd.	SR76 (Pala Rd.) to Cool Valley Rd.	LC	2	B	2.016	B	.02	2.15	B	2.86	B	C	23	C	.02	7.574	C	23.86	C
2 Cole Grade Rd.	Cool Valley Rd. to Fruitvale Rd.	LC	10	D	10.0	D	.02	10.15	D	10.86	D	C	27	C	.02	27.15	C	27.86	D
3 Cole Grade Rd.	Fruitvale Rd. to Valley Center Rd.	TC	12	D	12.0	D	.02	12.15	D	12.86	D	C	34	E	.02	34.15	E	34.86	F
4 Lake Wohlford Rd.	Valley Center Rd. to San Pasqual Casino Ent. (Temp.)	LC	2.4	B	2.9	B	.25	4.29	C	5.82	C	C	9	A	.3	11.27	A	12.80	A
5 Lake Wohlford Rd.	San Pasqual Casino Ent. (Temp.) to Woods Valley Rd.	LC	2.4	B	3.9	B	.75	8.08	D	9.61	D	C	9	A	.3	11.27	A	12.80	A
6 Lake Wohlford Rd.	Woods Valley Rd. to Guejito Rd.	LC	4.5	C	5.8	C	.65	9.42	D	10.95	E	C	20	B	.4	23.03	C	24.56	C
7 Lake Wohlford Rd.	Guejito Rd. to Escondido City Limits	LC	4.5	C	5.8	C	.65	9.42	D	10.95	E	C	24	C	.6	28.54	D	30.08	D
8 Lilac Rd.	SR76 (Pala Rd.) to Couser Canyon Rd.	LC	1	A	1.1	A	.03	1.23	A	2.00	B	LC	3	B	0	3.00	B	4.16	C
9 Lilac Rd.	Couser Canyon Rd. to W. Lilac Rd.	LC	1	A	1.1	A	.03	1.23	A	2.00	B	LC	6	C	0	6.00	C	7.16	D
10 Lilac Rd.	W. Lilac Rd. to Old Castle Rd.	LC	3	B	3.1	B	.03	3.23	B	4.00	B	LC	6	C	0	6.00	C	7.16	D
11 Lilac Rd.	Old Castle Rd. to Anthony Rd.	LC	8	D	8.3	D	.13	8.98	D	10.54	D	C	8	A	.05	8.38	A	9.86	A
12 Lilac Rd.	Anthony Rd. to Valley Center Rd.	LC	8	D	8.3	D	.13	8.98	D	10.54	D	C	17	B	.05	17.38	B	18.86	B
13 Old Castle Rd.	Lilac Rd. to Champagne Blvd.	LC	6	C	6.2	C	.1	6.76	C	7.54	D	C	10	A	.05	10.38	A	10.70	A
14 SC990 (Charlan Rd.)	Valley Center Rd. to N. Broadway											C	11	A	.2	12.51	A	13.81	B
15 SC990 (Charlan Rd.)	N. Broadway to I-15											C	19	B	.2	20.51	B	21.81	B
16 SR76 (Pala Rd.)	I-15 to Rice Canyon Rd.	2C	5	A	5.1	B	.05	5.38	B	14.69	E	4C	26	E	.05	26.38	E	35.11	F
17 SR76 (Pala Rd.)	Rice Canyon Rd. to Pala Casino Entrance	2C	5	A	5.1	B	.05	5.38	B	15.27	E	4C	21	D	.05	21.38	D	30.69	E
18 SR76 (Pala Rd.)	Pala Casino Entrance to Pala Temecula Rd.	2C	5	A	5.1	B	.05	5.38	B	10.74	D	4C	21	D	.05	21.38	D	26.92	E
19 SR76 (Pala Rd.)	Pala Temecula Rd. to Lilac Rd.		5	A	5.2	B	.08	5.61	B	10.98	D		9	C	.08	9.61	C	15.16	E
20 SR76 (Pala Rd.)	Lilac Rd. to Pauma Casino Entrance		3	A	3.2	A	.08	3.61	A	8.81	C		8	C	.08	8.61	C	13.81	E
21 SR76 (Pala Rd.)	Pauma Casino Entrance to Cole Grade Rd.		3	A	3.2	A	.08	3.61	A	5.61	B		8	C	.08	8.61	C	10.61	D
22 SR76 (Pala Rd.)	Cole Grade Rd. to Valley Center Rd.		3	A	3.2	A	.08	3.61	A	5.03	A		7	B	.08	7.61	C	9.03	C
23 SR76	Valley Center Rd. to S. Grade Rd.		4	A	4.0	A	.02	4.15	A	4.48	A		11	D	.02	11.15	D	11.48	D
24 Valley Center Rd.	SR76 (Pala Rd.) to Rincon Casino Entrance	LC	3.65	B	3.9	B	.1	4.41	C	6.15	C	C	8	A	.1	8.76	A	10.50	A
25 Valley Center Rd.	Rincon Casino Entrance to Lake Wohlford Rd.	LC	4.34	C	4.5	C	.1	5.10	C	11.00	E	C	14	B	.1	14.76	B	20.66	B
26 Valley Center Rd.	Lake Wohlford Rd. to Cole Grade Rd.	LC	5.79	C	6.1	C	.15	6.93	C	10.96	E	C	12	A	.2	13.51	A	17.54	B
27 Valley Center Rd.	Cole Grade Rd. to Lilac Rd.	LC	16	E	16.3	F	.15	17.10	F	21.00	F	PA	47	D	.18	48.36	D	52.26	E
28 Valley Center Rd.	Lilac Rd. to SC990 (Charlan Rd.)	LC	17	F	17.0	F	.0	17.00	F	19.93	F	PA	53	E	.13	53.98	E	57.56	F
29 Valley Center Rd.	SC990 (Charlan Rd.) to Woods Valley Rd.	LC	18	F	18.0	F	.0	18.00	F	20.93	F	PA	52	E	.07	52.53	E	54.81	E

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Roadway	Segment	Baseline Road Classification	Baseline ADT*	Baseline LOS	Baseline with Temp. Project ADT*	Baseline with Temp. Project LOS	Trip Distribution ***	Baseline with Perm. Project ADT*	Baseline with Perm. Project LOS	Near Term Cumulative ADT*	Near Term Cumulative LOS	Future Road Classification	Build Out (Year 2020) ADT*	Build Out (Year 2020) with Project LOS	Build Out (Year 2020) Cumulative ADT*	Build Out (Year 2020) Cumulative LOS
30 Valley Center Rd.	Woods Valley Rd. to Escondido City Limits	LC	18	F	18.2	F	.1	18.76	F	21.68	F	PA	52	52.23	54.50	E
31 Woods Valley Rd.	Valley Center Rd. to Lake Wohlford Rd.	LC	2	B	2.2	B	.1	2.76	B	2.76	B	LC	8	8.76	8.76	D
SYCUAN																
1 Dehesa Rd.	Tavern Rd. to Sycuan Casino Entrance	LC	2	B				6.717					8	6.72	8.34	D
2 Dehesa Rd.	Sycuan Casino Entrance to Harbison Canyon Rd.	LC	9	D			.05	2.34	B	2.34	B	LC	14	8.34	20.38	F
3 Dehesa Rd.	Harbison Canyon Rd. to Willow Glen Dr.	LC	10	D			.95	15.38	E	15.38	E	LC	16	20.38	21.04	F
4 Dehesa Rd.	Willow Glen Dr. to El Cajon City Line	LC	11	E			.75	15.04	E	15.04	E	LC	18	21.04	22.03	F
5 Frances Dr.	Harbison Canyon Rd. to Mountain View Rd.	LC	1	A			.6	15.03	E	15.03	E	LC	3	22.03	3.34	B
6 Harbison Canyon Rd.	Dehesa Rd. to Frances Dr.	LC	2	B			.05	1.34	A	1.34	A	LC	5	3.34	6.34	C
7 Harbison Canyon Rd.	Frances Dr. to Arnold Way	LC	4	B			.2	3.34	B	3.34	B	LC	5	6.34	6.01	C
8 Willow Glen Dr.	Dehesa Rd. to Hillside Rd.	LC	6	C			.15	5.01	C	5.01	C	LC	8	9.01	9.01	D
VIEJAS																
1 Willows Rd.	West Willows Rd. to Viejas Entrance	LC	13.4	E				4.978					14	4.98	18.73	B
2 Willows Rd.	Viejas Entrance to East Willows Rd.	LC	2	B			.95	18.13	F	18.13	F	C	20	18.73	20.25	B
3 I-8	Tavern Rd. W. Willows Rd.		35	B			.9	39.48	B	39.48	B		51	55.48	55.48	C

Notes: ADT = Average Daily Traffic
LOS = Level of Service
* ADT Volumes = X 1,000
** Distributed onto New SR54 in 2020
*** .01 = 1%



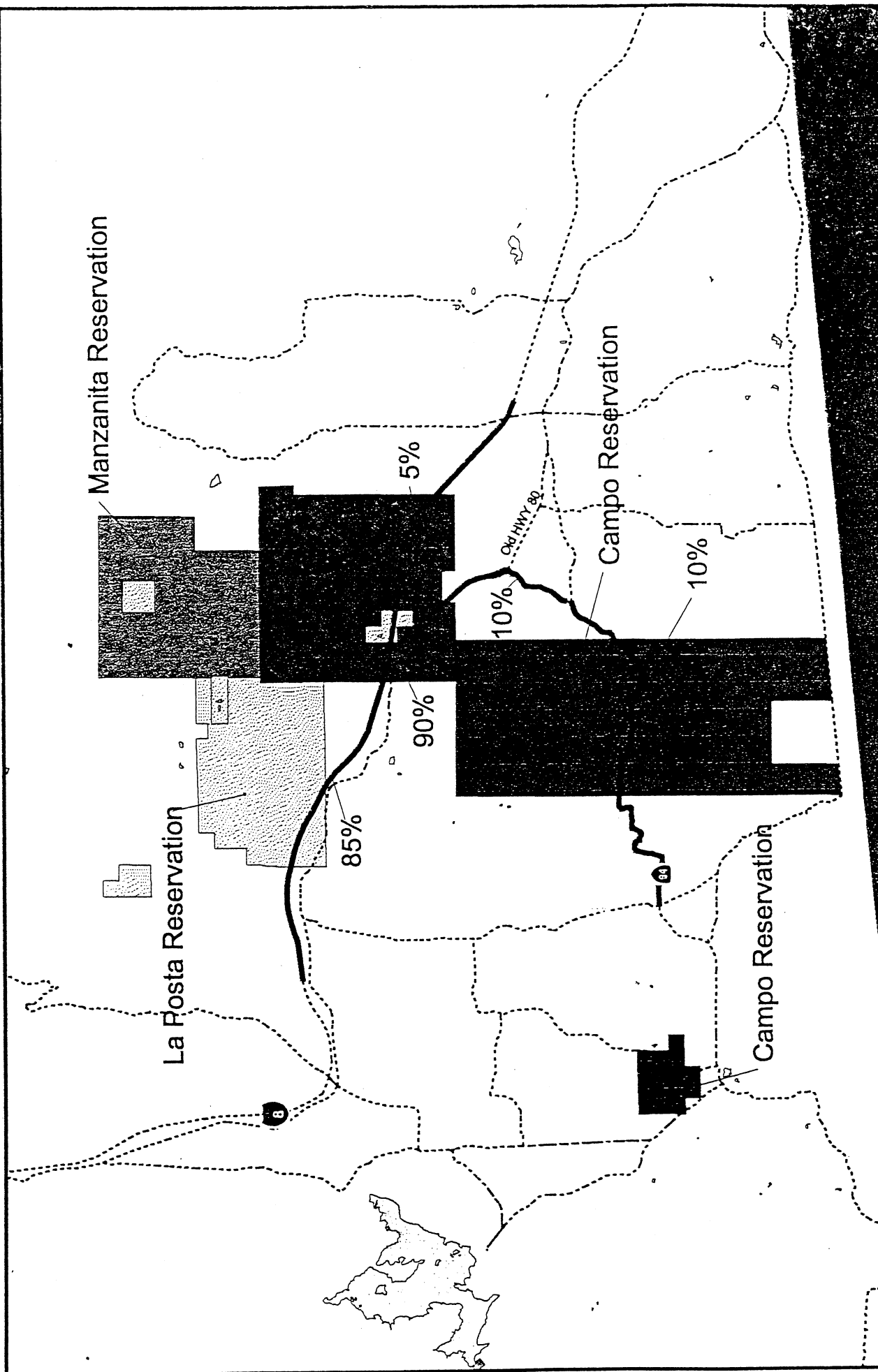
 Roads Impacted
 Circulation Element
 Lakes

Barona Reservation

Near Term & Long Range 2020
 Trip Distribution

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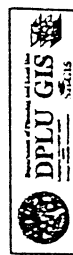


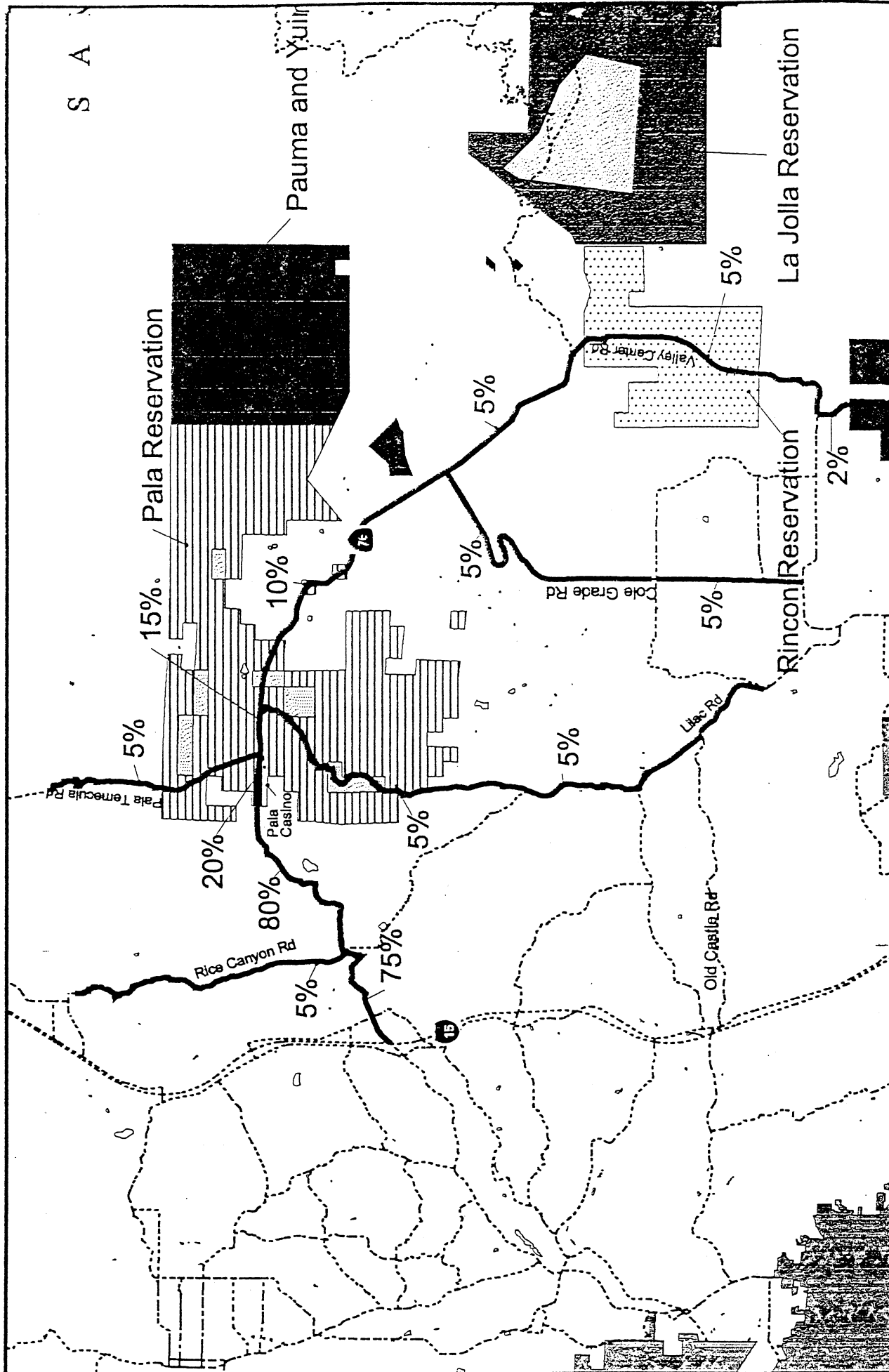


Campo Reservation

Near Term & Long Range 2020
Trip Distribution

Roads Impacted
Circulation Element
Lakes





Roads Impacted
 Circulation Element
 Lakes

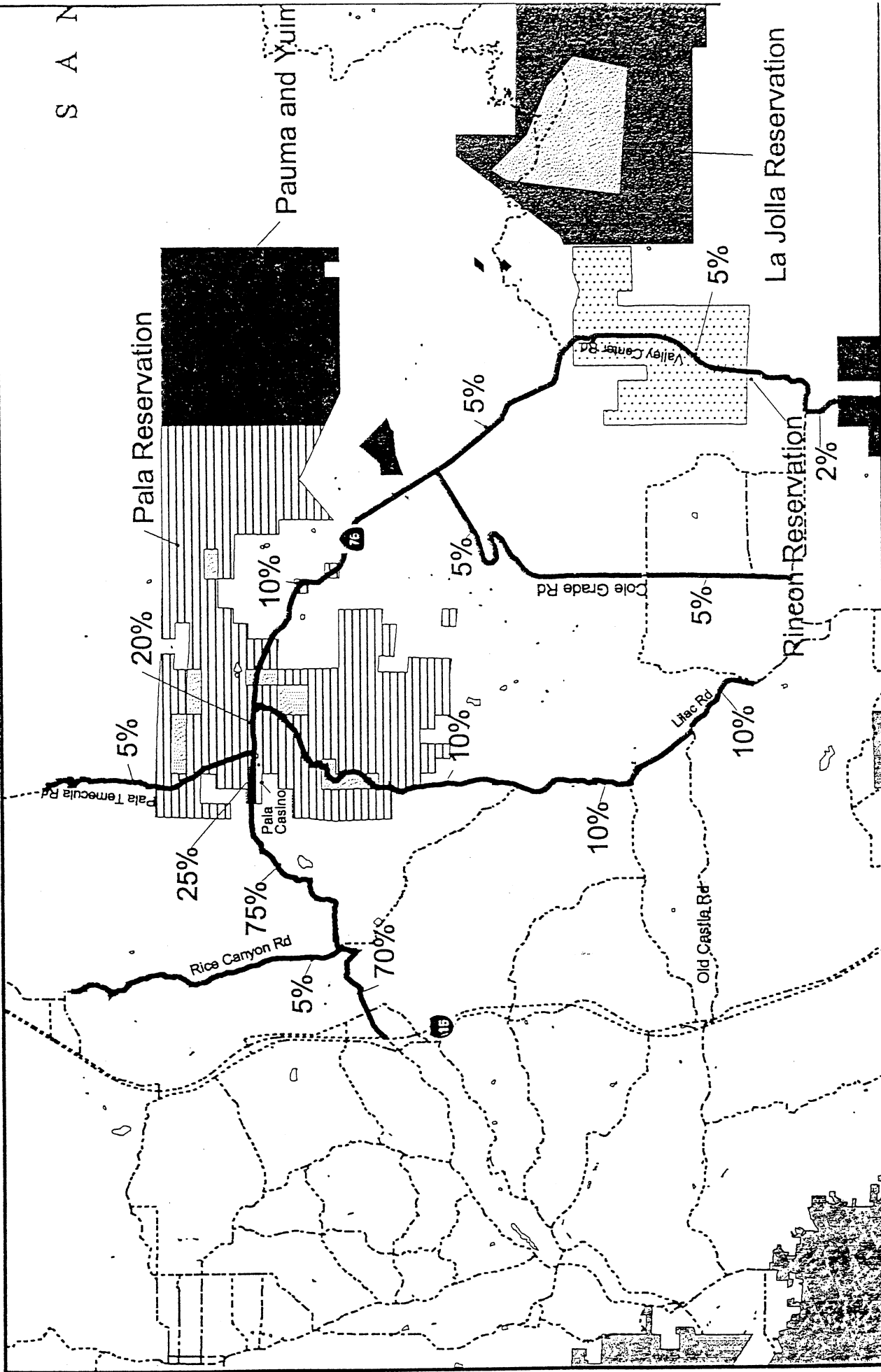
Pala Reservation

Near Term
 Trip Distribution

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S A N

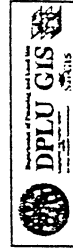


Pala Reservation

Long Rang 2020
Trip Distribution

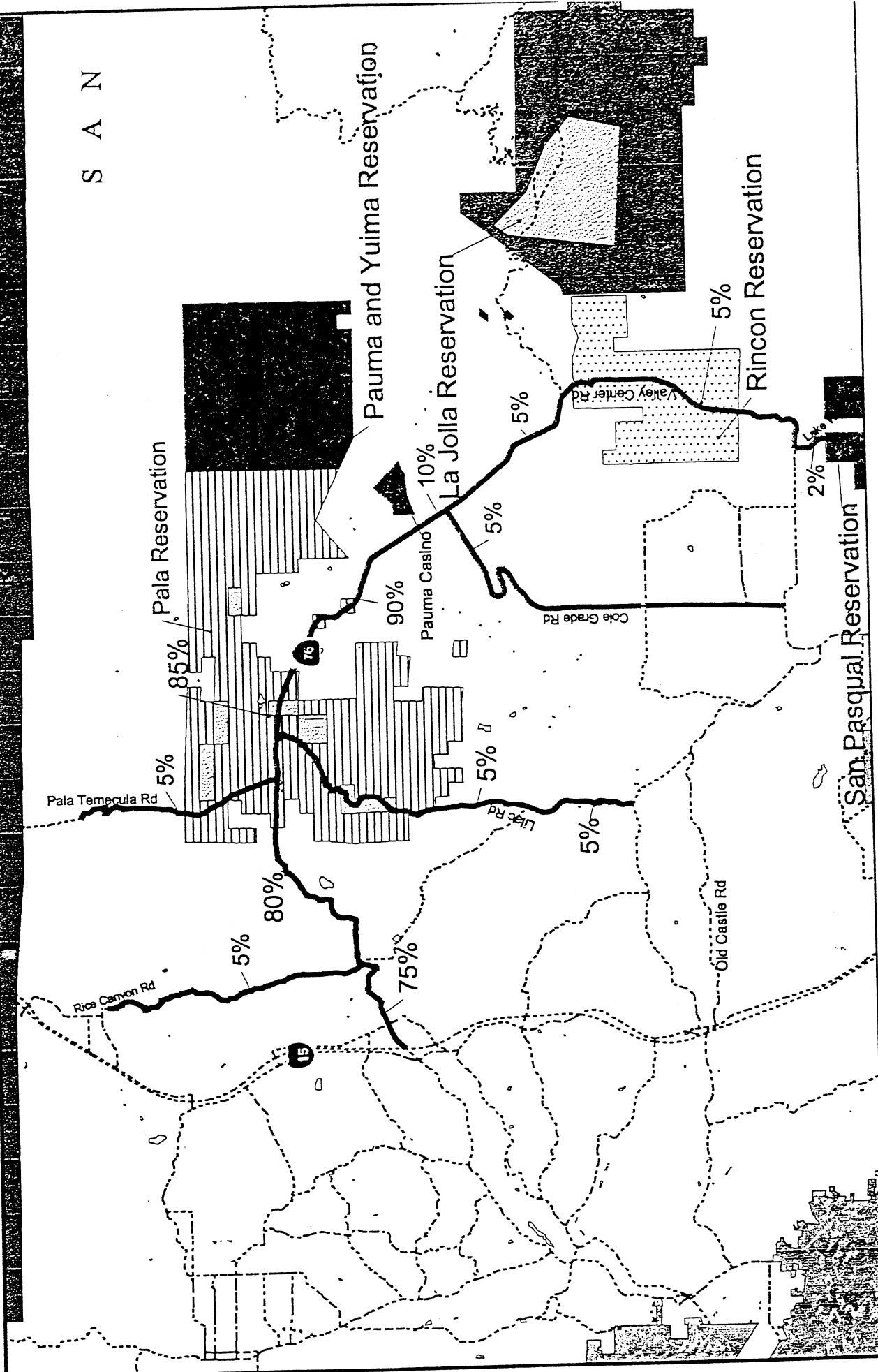
0.6 0 0.6 1.2 Miles

Roads Impacted
Circulation Element
Lakes



Date: 02/21/01
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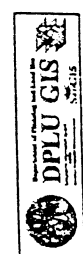
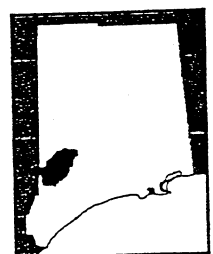
S A N



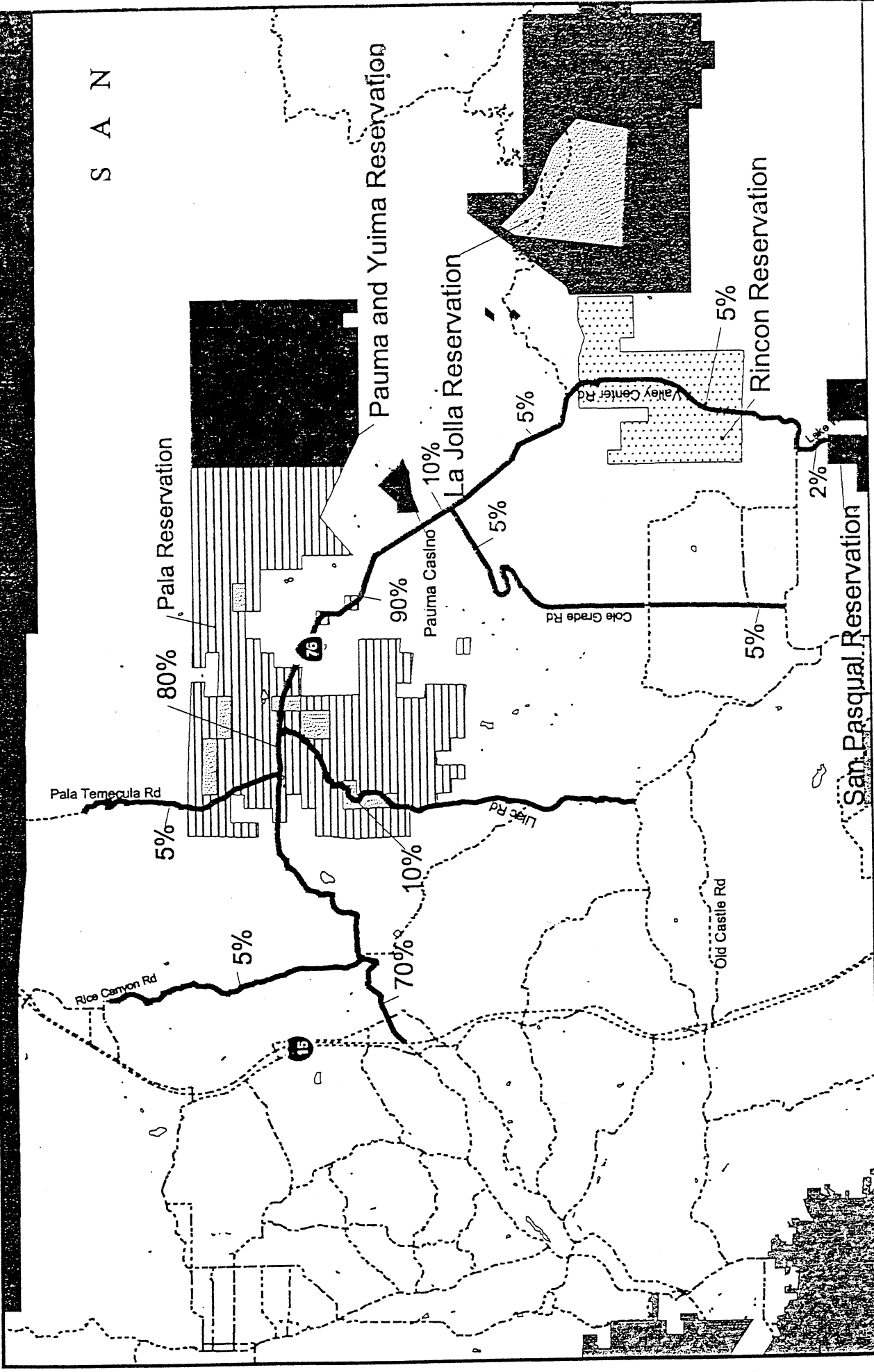
Pauma Reservation

Near Term
Trip Distribution
0.6 0 0.61.2 Miles

- Roads Impacted
- Circulation Element
- Lakes



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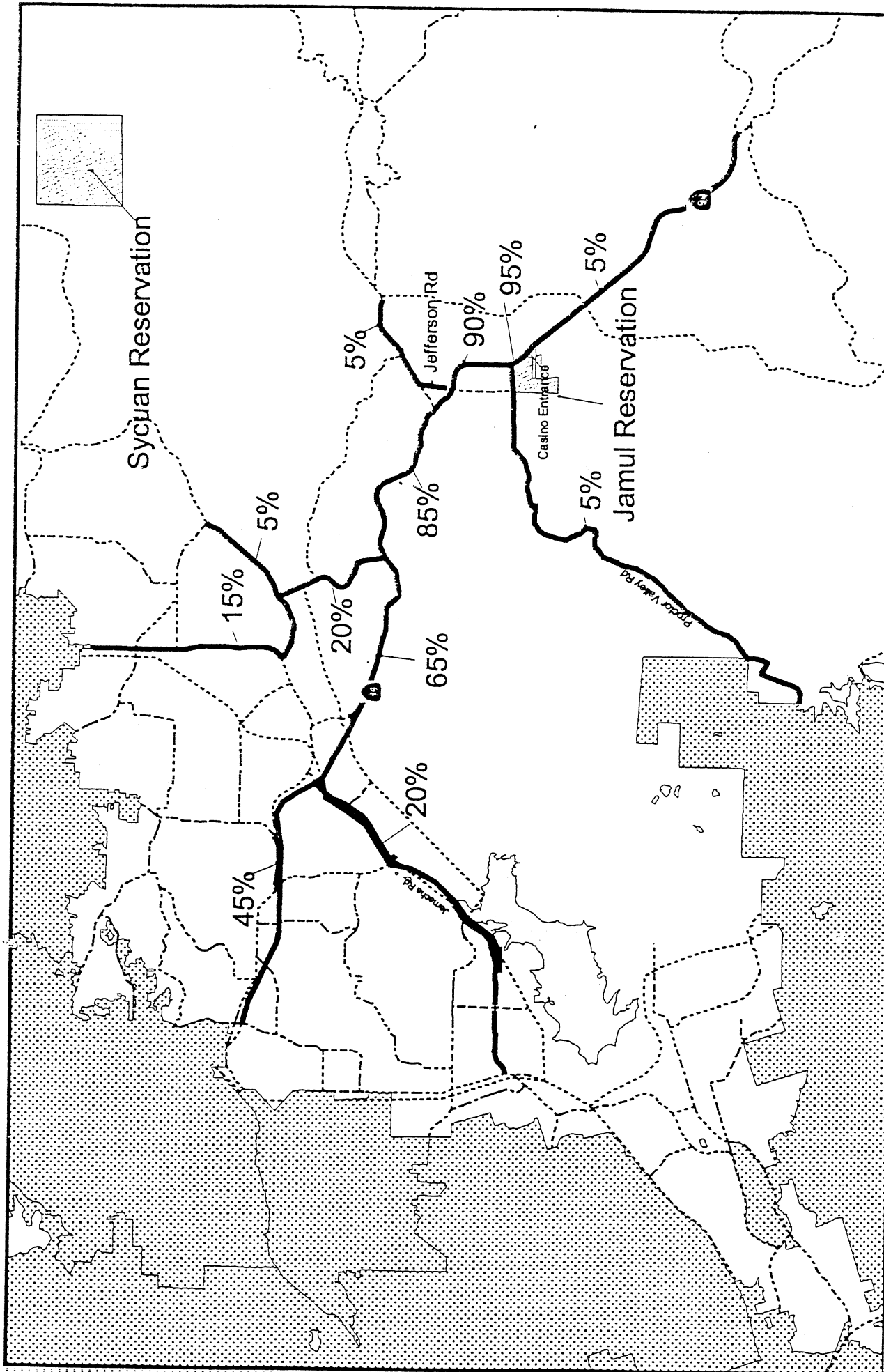
Pauma Reservation




Long Range 2020
Trip Distribution

0.6 0.61.2 Miles

- Roads Impacted
- Circulation Element
- Lakes



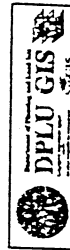


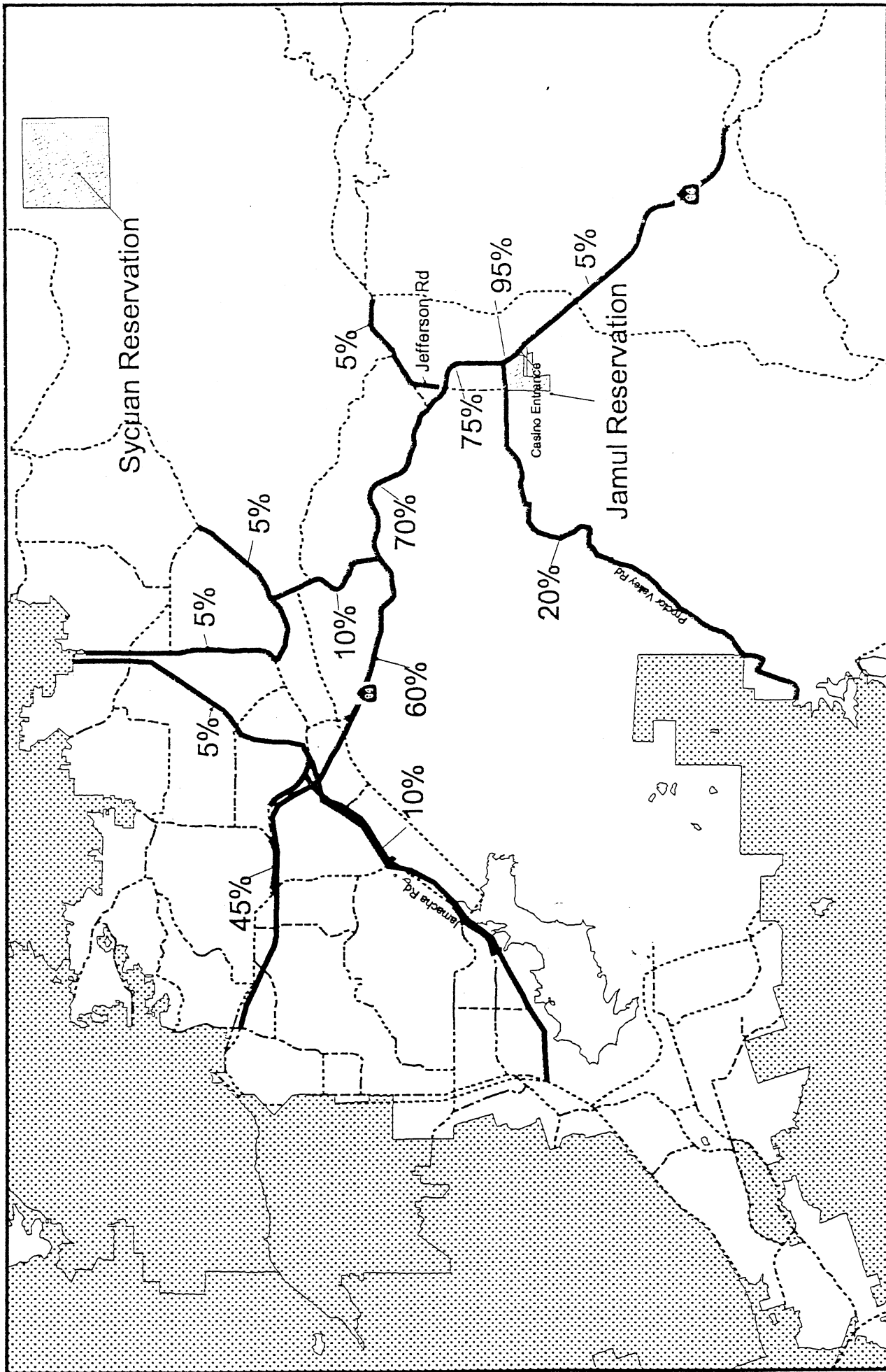
 Roads Impacted
 Circulation Element
 Lakes

Jamul Reservation

Near Term
Trip Distribution

0.4 0 0.4 0.8 Miles



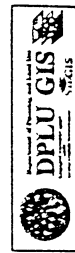


Jamul Reservation

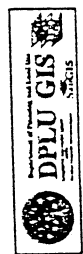
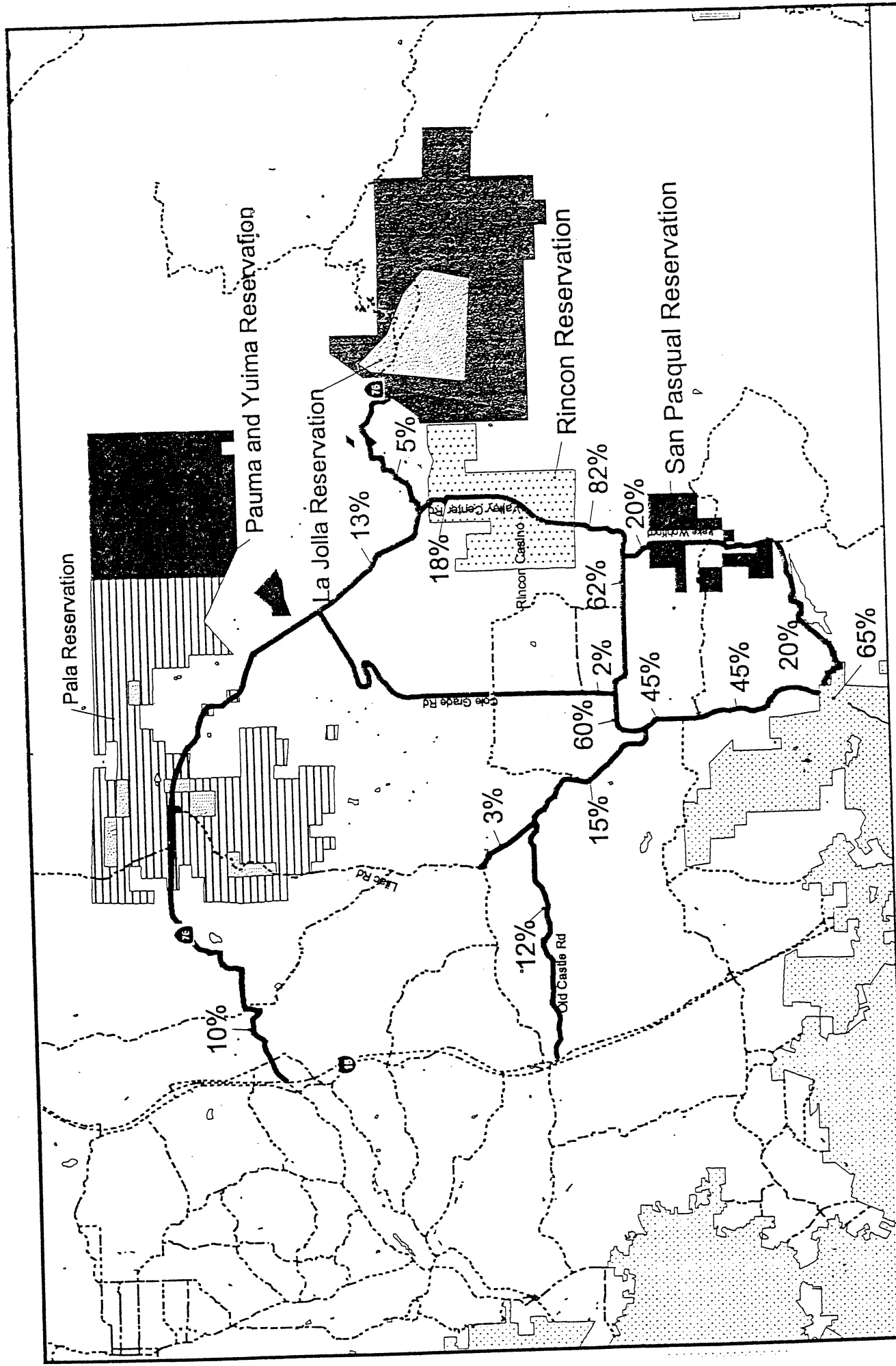
Long Rang 2020
Trip Distribution

0.4 0 0.4 0.8 Miles

Roads Impacted
Circulation Element
Lakes



Date: 02/21/01
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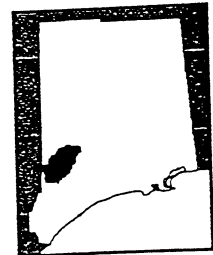
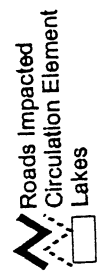


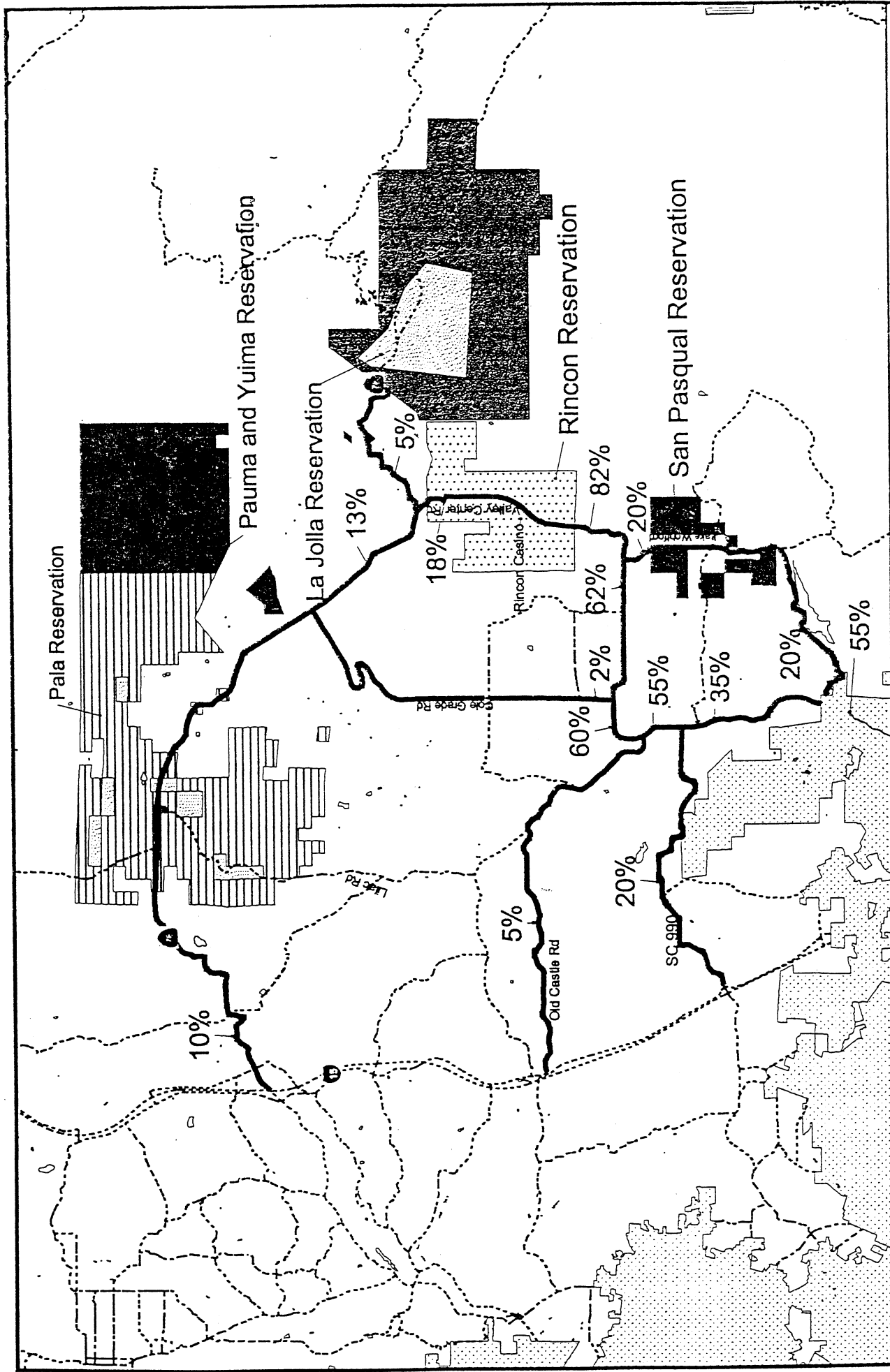
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Rincón Reservation

Near Term
 Trip Distribution
 0.8 0 0.8 1.6 Miles





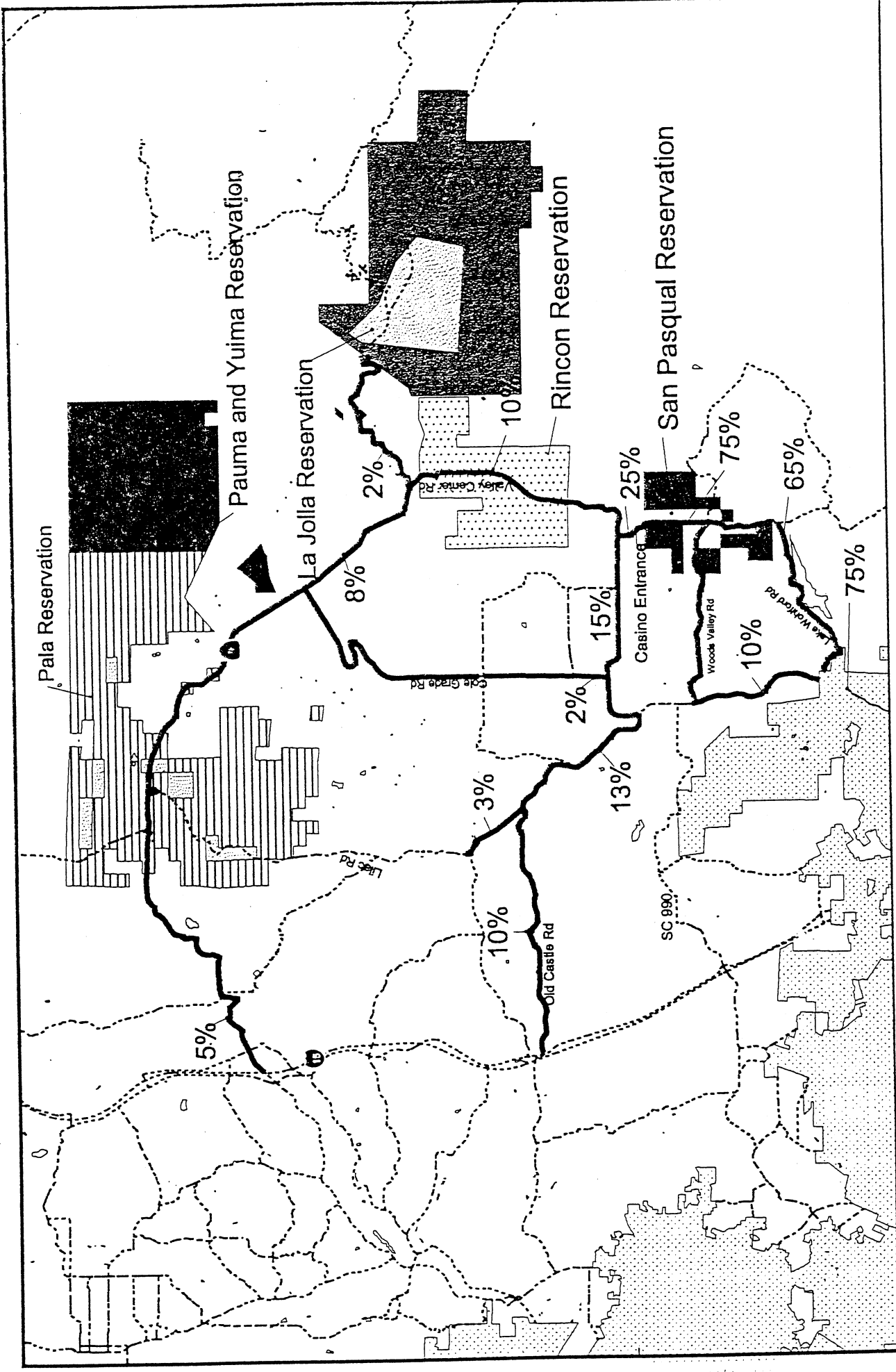
Roads Impacted
Circulation Element
Lakes

Rincon Reservation

Long Range 2020
Trip Distribution

0.8 0 0.8 1.6 Miles





San Pasqual Reservation

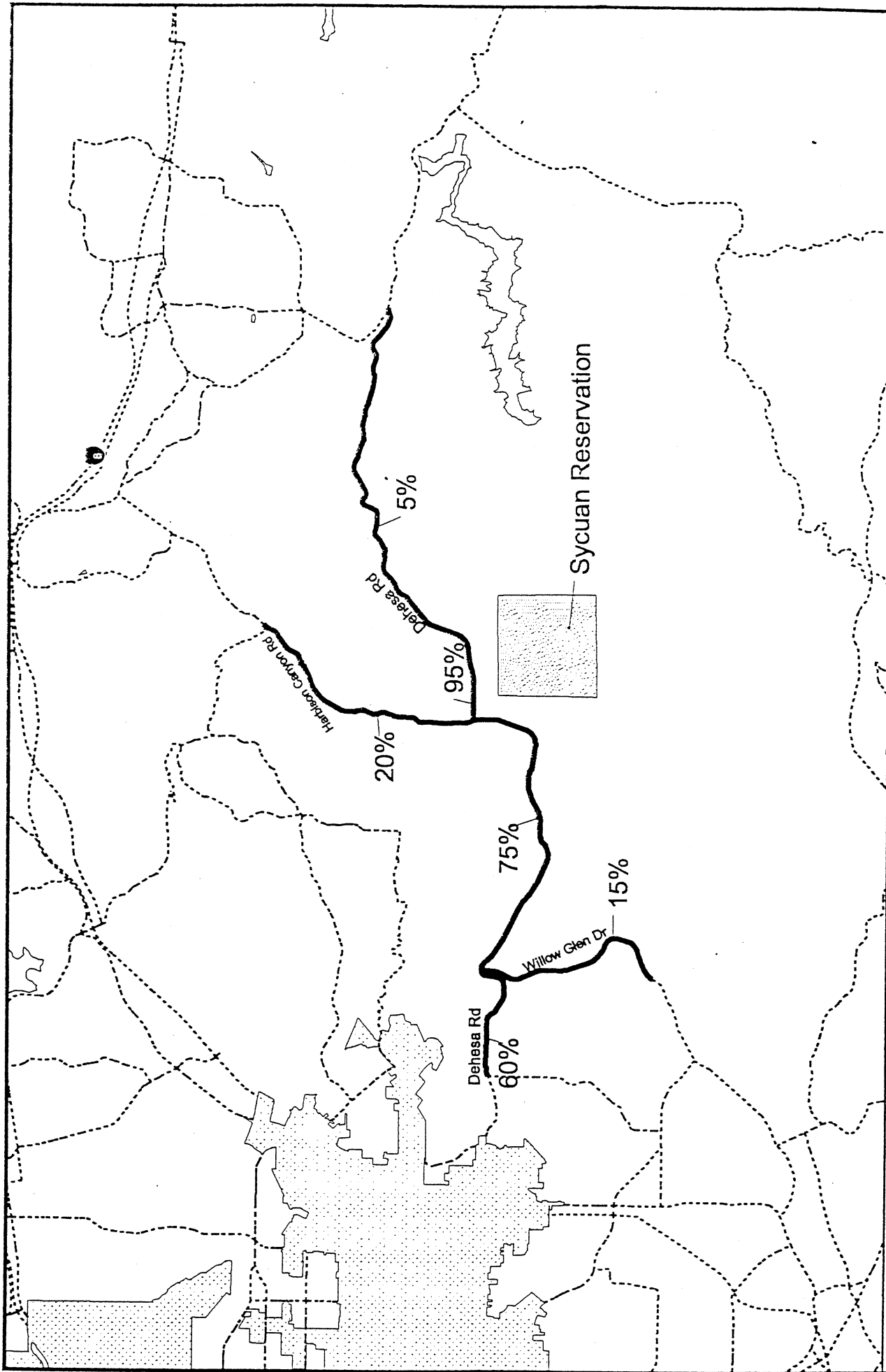
- Roads Impacted
- Circulation Element
- Lakes



Near Term
Trip Distribution

0.8 0 0.8 1.6 Miles

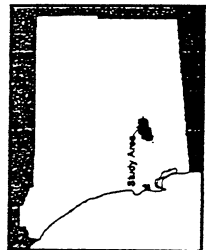




Sycuan Reservation

Near Term & Long Range 2020 Trip Distribution

Roads Impacted
Circulation Element
Lakes



0.4 0 0.4 0.8 Miles



Viejas Reservation

Willows Rd Casino Entrance

90%

Alpha Rd

5%

95%

5%



Roads Impacted
Circulation Element
Lakes

Viejas Reservation

Near Term & Long Range 2020 Trip Distribution

0.2 0 0.20.4 Miles



CASINO FACILITY: TYPICAL USE COMPOSITION

The Environmental Evaluations/Assessments for the Barona, Jamul, and Pauma gaming facilities included a detailed summary describing the casino uses and their associated square footage (see attachment). The environmental documentation for the other proposed Indian gaming facilities did not include a casino use summary. County staff classified the uses within the Barona, Jamul, and Pauma casinos into five categories. The five categories are as follows:

1. **Gaming areas:** Gaming areas include slot machine areas, card rooms, bingo rooms, and off-track betting areas
2. **Food & Beverage operations:** Food & beverage operations include restaurants, food courts, coffee shops, snack bars, bar lounges, and kitchen facilities.
3. **Casino offices/operation uses:** This category includes offices, warehouses, administrative areas, bathroom facilities, lobbies, banking operations, and ancillary casino areas.
4. **Retail:** Retail includes souvenir shops and convenience stores
5. **Children entertainment/care:** This category includes childcare facilities, arcades, and children play areas.

Based on the square footage information in the environmental documents, County staff calculated the percentage of total casino area devoted to each use category for each of the three casinos. The percentages of each use category for the three casinos were averaged out in order to develop a typical use composition for San Diego region casino facilities. The average casino use percentages are as follows:

1. Gaming areas: **39.1%** of total casino area
2. Food & Beverage operations: **19.4%** of total casino area
3. Casino offices/operation uses: **37.9%** of total casino area
4. Retail: **1.2%** of total casino area
5. Children entertainment/care: **2.4%** of total casino area.

As previously stated, only the Barona, Jamul, and Pauma environmental documents included a detailed summary of the casino facility uses. The County of San Diego has requested that each casino project provide a detailed breakdown of the uses within their proposed casino facility. When the casino use information has been provided to the County, the trip generation estimates for some of the casinos may need to be adjusted. Adjustments to a casino's trip generation estimates may be warranted, because the casino may contain a unique trip generator such as specialty gaming activities, entertainment theater, or a high-tech arcade.

The average gaming area use factor (39.1%) was used to estimate the size of the gaming areas for the Sycuan and Viejas casinos. At the time of the preparation this report, neither casino has submitted an Environmental Assessment/Evaluation and/or traffic study to the County of San Diego.

Table 1
Casino Resort Square Footage

Building Element	Square Footage
Casino Gaming Floor	71,575
Poker Room	2,070
High Limit	5,260
Fireplace Lounge	2,905
Off-Track Betting Area	5,750
Turf Club (restaurant)	2,020
Bingo Hall	23,860
Bingo Snack Bar	2,545
Platinum Club	1,800
Tour Lobby	1,800
Retail Outlets	2,600
Kitchens	24,880
Buffet and Deck	21,745
Food Court	1,720
Coffee Shop and Deck	6,030
Kids Quest	4,830
Video Arcade	395
Toilets	10,840
Offices	12,960
Public Circulation and Entries	9,555
Administrative and Support Functions	77,860
Total Square Footage	293,000

The new golf course will occupy the southern portion of Barona Valley to the north of the casino and hotel. Construction of the golf course is complete. The course's 4,328-square-foot Pro Shop would be situated at the northern end of the eastern hotel wing. Golf cart storage and maintenance would be conducted in a 9,080-square-foot basement of this wing. The golf course will be a PGA tournament level course. It will feature approximately 500 live oaks transplanted from elsewhere on the Reservation.

TABLE 2-2
CASINO USES AND SIZE

Proposed Use	Square Feet
1. Gaming Floor Area	91,800
2. Banking	6,300
3. Toilets	6,600
4. Gaming Support	8,400
5. Retail	2,000
6. Child Care/Family Fun	14,000
7. Food and Beverage	43,300
8. Back of House	15,000
9. Employee Rooms	9,000
10. Office	13,000
11. Misc. and Circulation	35,600
12. Warehouse	20,000
Total	265,200

SOURCE: Cuningham Group, 2000.

The site plan includes stacking in a multi-story structure the parking, casino, and support facilities on the existing Indian Village. The casino facility would be housed in a two-level facility. The proposed structure would span the natural drainage currently transecting the project area. The physical structure would be constructed entirely outside of the mean high-water mark of the drainage. The proposed development would require the removal of all tribal housing and administration building on the existing Indian Village. The existing tribal church and cemetery would remain on the western end of the Indian Village.

The entrance drives would be through the 4-acre parcel currently occupied by a fire station. A multiple level road would provide access to the porte cochere and parking located below the casino. The plan includes approximately 2,000 parking stalls on-site in a parking structure located beneath the casino. An 800-space employee parking lot would be provided off-site on the 87-acre proposed trust parcel (as shown on the site plan).

WASTEWATER TREATMENT AND DISPOSAL

A new wastewater treatment plant would be constructed on Parcel #2 to treat sewage generated by the casino and the replacement housing. The wastewater will receive tertiary treatment and will be reused for landscape irrigation and the toilets within the casino facility. The remaining

TABLE 2-1
PAUMA GAMING FACILITY COMPONENTS

Component	Square Footage
850 Slot Machines	30,000
32 Table Games	7,000
10 Poker Tables	3,000
Bar/Lounge Entertainment Center	4,000 (125 seats)
Steak/Seafood Restaurant	5,000 (200 seats)
Casual Restaurant	5,000 (300 seats)
Asian Restaurant	4,000 (250 seats)
Gift Shop/Players Club	1,500
Office/Back of House/Storage	20,000
Warehouse/Storage Building	8,000

Source: Pacific Coast Gaming

The casino, and associated development features, would be constructed in compliance with the Uniform Building Codes, including all uniform fire, plumbing, electrical, mechanical and related codes then in effect. In addition, the development would comply with the federal Americans with Disabilities Act, P.L. 101-336, as amended, 42 U.S.C. Section 1201 et seq. Pursuant to the Tribal-State Compact, the Proposed Project would also comply with the following provisions:

- Development will be issued a certificate of occupancy by the Tribal Gaming Agency prior to occupancy;
- Tribal government will adopt and comply with standards no less stringent than state public health standards for food and beverage handling;
- Tribal government will adopt and comply with standards no less stringent than federal water quality and safe drinking water standards applicable in California;
- Tribal government will adopt and comply with standards no less stringent than federal workplace and occupational health and safety standards;
- Tribal government will comply with Tribal codes and other applicable federal law regarding public health and safety; and
- The Tribe shall make reasonable provisions for adequate emergency, fire, medical, and related relief and disaster services for patrons and employees of the Gaming Facility.

**COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO
AND THE RINCON SAN LUISENO BAND OF MISSION INDIANS FOR ROAD
IMPROVEMENTS ASSOCIATED WITH CASINO DEVELOPMENT**

This Cooperative Agreement (hereinafter "Agreement") is made this 20th day of March 2001, by and between the County of San Diego, ("County") and the Rincon San Luiseno Band of Mission Indians ("Rincon Band").

WHEREAS, Rincon Band has signed a Tribal State Gaming Compact ("Compact") with the State of California that will allow Rincon Band to develop up to two Class III casinos on its tribal lands;

WHEREAS, Rincon Band has tribal lands which are located within the unincorporated area of San Diego County;

WHEREAS, Rincon Band is presently developing a temporary Class III casino on its tribal lands, and will in the future develop a permanent Class III casino on its tribal lands;

WHEREAS, the permanent Class III casino project will consist of the development of approximately 65 gross acres with following elements: A 180,000 square foot casino building with 59,000 square feet of gaming space; a 200 room hotel of approximately 125,000 square feet; and 2,400 parking spaces.

WHEREAS, access to the tribal lands and proposed Indian gaming project is via County-maintained roads located within the unincorporated area of San Diego County;

WHEREAS, Rincon Band has agreed to voluntarily contribute funding toward the improvement of County maintained roads. The County has no other existing program or means by which to obtain funding for the road improvements, and Rincon Band is not obligated to seek the County's approval before constructing its Class III casino project. It is therefore in the County's interest to enter into this Cooperative Agreement so that the County-maintained roads in the vicinity of the Class III casino may be improved;

NOW THEREFORE, the parties agree as follows:

I. FRONTAGE IMPROVEMENTS

1. Rincon Band shall perform actions identified in Exhibit A, attached hereto and incorporated herein by reference, which sets forth improvements needed along Valley Center Road where it has frontage on tribal lands. The improvements shall be made according to current County construction and design standards for road improvements

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and to the satisfaction of the County Director of Public Works. These frontage improvements may be summarized as follows:

- a) Provision of right-of-way and improvements including southbound deceleration lane and two-way left turn lane for access for the southerly three driveways to the proposed project.
- b) Provision of right-of-way and improvements including southbound deceleration lane and two-way left turn lane for the most northerly (4th) driveway access to the proposed project.
- c) Installation of a traffic signal at the main driveway to the temporary Class III casino. The schedule for installation will be based on a determination by the County Director of Public Works that traffic volume warrants the installation. The County will provide Rincon Band 180 days advance notice of the requested installation and operation date.
- d) Provision of right-of-way and construction of walkway along frontage and connection to the planned new bridge over the San Luis Rey River. The new bridge is to be constructed under a County Capital Improvement Project. Schedule for construction of the walkway will be deferred until it can be coordinated with the bridge construction project.

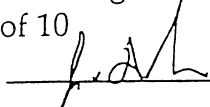
2. The total cost to Rincon Band for the aforementioned improvements, based on design specification is estimated to be \$646,100.00. Rincon Band will be responsible for the full cost of the improvements, regardless of the ultimate cost. The improvements (with the exception of the installation of the traffic signal and the walkway, for which no date has been specified), shall be completed within 180 calendar days from the last day of receipt of required permits.

Under Department of Public Works Permit No. C32049 issued February 21, 2001, all of the frontage work will be performed by Rincon Band with the exception of the traffic signal, the walkway, and the 4th (most northerly) driveway and associated southbound deceleration lane. Rincon Band will compensate the County for costs associated with the engineering plan review, inspection and building material testing fees for the frontage improvements identified in this Section I-1a by placing initial deposits of \$12,030.00 for engineering plan review and an initial deposit of \$28,100.00 for inspection and testing. Unanticipated factors arising during engineering plan review and construction such as, but not limited to complexity, unforeseen conditions, and longer work duration may necessitate Rincon Band to augment the initial deposit amounts with additional funds to cover County costs. Rincon Band shall only be responsible to pay County such staff costs as determined by County Director of Public Works that are reasonable and necessary. At the end of all tasks, any excess deposits paid by Rincon Band will be refunded to Rincon Band. County will provide a detailed accounting of actual costs against these monies. For the frontage improvements in Section I.1(b), I.1(c), and I.1(d), Rincon Band agrees to obtain additional permits and provide additional engineering plan review and inspection/material testing deposits.

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3. At Rincon Band's request, together with the payment of an additional deposit if necessary, County will provide additional technical assistance to assist in the completion of the improvements. Any monies paid by Rincon Band per this section that are not used by County to directly offset costs, shall be repaid to Rincon Band.

4. Rincon Band will be responsible for complying with approved plans and specifications and will make any reasonable changes as requested by County staff following construction inspections. Rincon Band hereby gives its permission to County to perform inspections on tribal lands as necessary during construction of road improvements.

5. County will perform a final inspection of road improvements on tribal lands to verify construction according to County approved permits. County agrees to take the frontage road improvements into the County's maintained road system when the improvements are found to be completed and in conformance with the approved permit.

II. OFFSITE IMPROVEMENTS AND/OR CONTRIBUTIONS FOR COUNTY ROADS

6. Programmed Improvements – Valley Center Road

a) Rincon Band agrees to pay \$2,483,730.00 toward the programmed County projects for improvements to Valley Center Road between the Escondido city limits north to and including the intersection at Cole Grade Road. (County Projects UJ1467 and UJ1101) and for signalization of the Valley Center Road/North Lake Wohlford Road intersection. These improvements consist of:

- 1) The addition of 2 lanes between Escondido city limits and the Cole Grade Road intersection.
- 2) Traffic signal at Woods Valley Road and Valley Center Road.
- 3) Intersection improvements at Cole Grade Road and Valley Center Road.
- 4) Traffic signal at the intersection of North Lake Wohlford Road and Valley Center Road.

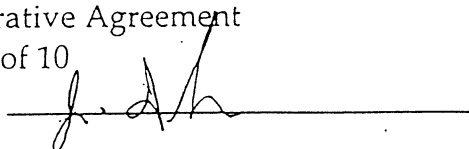
b) County agrees to schedule items identified as (2), (3), and (4) above as early as feasible. County shall negotiate in good faith with the Rincon Band to construct such improvements so as to minimize any disruption of traffic flow to the casino.

c) Payments by Rincon Band for proposed improvements identified in this section shall be made within 45 days of request by Director, Department of Public Works, provided such request conforms with the notice provision of

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Section III-15 of this Agreement. The estimated schedule for payment is \$1,073,649.00 in January, 2002 for improvements on Valley Center Road between Escondido and Woods Valley Road, and \$1,410,081.00 in July, 2002 for all other improvements set forth in this section.

- d) Upon approval by the National Indian Gaming Commission (NIGC) of the management contract between HCAL Corporation and Rincon Band and the issuance of a Finding Of No Significant Impact (FONSI) for the permanent casino project, Rincon Band shall cause to be executed a binding Letter of Credit issued by a financial institution subject to regulation by the state or federal government for the sole benefit of County in the amount of \$2,483,730.00 to secure the obligations identified in this section. At the time County receives payments for the Band's obligations in this section, County will execute reasonable documents necessary to reduce proportionately the amount of the Letter of Credit. The executed Letter of Credit will be provided to County within 10 (ten) days of NIGC approval of the management contract and the issuance of a FONSI for the permanent casino project.

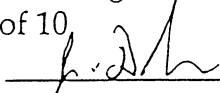
7. Unprogrammed Improvements - Valley Center Road

- a) Rincon Band agrees to pay \$3,860,895.00 toward construction of an unprogrammed County road improvement project to add one lane to Valley Center Road between Rincon Band casino entrance and Cole Grade Road. County will be responsible for any studies, design, environmental review, right-of-way acquisition, and the balance of those construction funds needed in combination with Rincon Band's contribution of \$3,860,895.00 to fund the full construction cost of the project. County shall negotiate in good faith with Rincon Band to construct such improvements so as to minimize any disruption of traffic flow to the casino.
- b) Payment by Rincon Band shall be made within 45 days of request by Director, Department of Public Works, provided such request otherwise conforms with the notice provision of Section III-15 of this Agreement. Such request shall be made at the time County is prepared to bid the construction contract within 90 days. The estimated schedule for payment is January, 2004. County agrees to schedule the improvements to Valley Center Road set forth in this Section II-7 as close to the estimated schedule date as feasible.
- c) In the event the payment to County pursuant to this section becomes due and owing prior to the approval by the NIGC of the management contract between HCAL Corporation and Rincon Band and the issuance of a FONSI for the permanent casino project, such payment shall not become due and owing until such approval has been granted.

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8. Acknowledgement of Additional Impacts

Rincon Band and County acknowledge that in consideration for Rincon Band's contributions to the Valley Center Road improvements identified in No. 7 above, impacts to Valley Center Road north of the Casino, Lake Wohlford Road and Lilac Road, will be mitigated by County sponsored improvement projects.

9. Adjustment of Payments for Inflation.

Payments required under Sections II-6 and II-7 of the Agreement shall be adjusted from the date of this Agreement by applying an adjustment factor based on the increase or decrease in the Engineering News Record Cost of Construction Index published by McGraw-Hill Publishing Company, or any successor thereof. County shall notify Rincon Band of any adjustments at the time of County request for payment. This provision shall not apply to any payments that become due and owing from Rincon Band to County after March 19, 2011.

10. Adjustments to Payments.

In the event that the Board of Supervisors downsizes or withdraws a programmed or unprogrammed road improvement and the construction costs are also reduced, Rincon Band's financial obligation shall be adjusted accordingly. Adjustments for downsizing shall be determined at the time an improvement is ready for construction procurement.

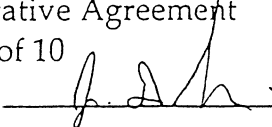
11. Contingency for Non-Approval of Management Contract.

In the event that NIGC disapproves the management contract between HCAL Corporation and Rincon Band, or the submission is withdrawn, Rincon Band shall be responsible for only those provisions set forth in Section I, and Rincon Band and County shall renegotiate government-to-government, in good faith, the provisions set forth in Section II based on the scope of the gaming facility the Rincon Band approves in the place of its existing plans. In the event of a complete cessation of gaming activities in excess of 90 consecutive days, Rincon Band shall only be responsible for those payments for which it has been properly noticed. In the event Rincon Band recommences gaming activities thereafter, Rincon Band and County shall renegotiate government-to-government, in good faith, the provisions set forth in Section II based on the scope of the gaming facility Rincon Band approves in the place of its existing plans.

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12. Reimbursements/credits for contributions from third party sources.

County agrees to reimburse or credit Rincon Band as follows:

- a) In the event that Rincon Band receives funding from state or federal sources, and directs those monies to be paid directly to County, County shall accept 100% of such payment as if it were a payment paid directly by Rincon Band.
- b) In the event County receives funding from the Special Distribution Fund, earmarked for mitigation of off-reservation road impacts resulting from the Rincon Casino, County shall accept 100% of such payment as if it were a payment paid directly by Rincon Band.
- c) In the event County receives funding from the Special Distribution Fund, earmarked for road improvement projects to mitigate off-reservation road impacts from Indian casinos in "North County," a credit shall be made in the name of Rincon Band in an amount calculated by the following formula:

(Total number of gaming devices operated by Rincon Band as of date of funds disbursed to County divided by the number of gaming devices operated by Rincon Band, Pala Band, San Pasqual Band, Pauma Band, La Jolla Band).

- d) In the event County receives funding from the Special Distribution Fund, earmarked for road improvement projects to mitigate off-reservation road impacts from Indian casinos a credit shall be made in the name of Rincon Band in an amount calculated by the following formula:

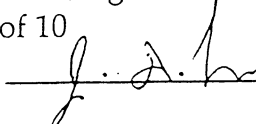
(Total number of gaming devices operated by Rincon Band as of date of funds disbursed to County divided by the number of gaming devices operated on Indian lands as of same date within the external boundaries of County).

- e) In the event County receives funding from the Special Distribution Fund, earmarked only for mitigation of off-reservation impacts other than road improvements, no credit shall be made to Rincon Band under this agreement.
- f) For purposes of calculating the formulas set forth in subsections 12(c) and 12(d) above, in the event County is unable to verify the number of devices, it shall be assumed that each gaming tribe operating within San Diego County is operating an equal number of devices.
- g) If during the course of negotiation of all foreseeable agreements with other gaming tribes operating within San Diego County, County notifies Rincon Band that the agreements, collectively, are inconsistent, burdensome or unfair, Rincon Band and County shall renegotiate government-to-government, in good faith. the provisions set forth in this Section II-12.

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- h) Where County is responsible for the balance of project costs beyond the amounts to be paid by Rincon Band under this Agreement, County will rely upon and will obtain those funds from typical County capital project funding sources such as contributions from new development projects, Federal Highway Administration (FHWA), TRANSNET, Gas Tax. Rincon Band will receive no credit for such funding.
- i) County shall use best efforts to secure funds from the Special Distribution Fund for road improvements needed to mitigate off-reservation impacts of the Rincon Casino.
- j) Any credits towards Rincon Band's obligations pursuant to this section shall be treated as the next payments in time to be paid by Rincon Band. If such payments are made toward the programmed improvements to Valley Center Road, County agrees to execute documents necessary to reduce equal amounts committed to a binding Letter of Credit.
- k) In the event funds identified in Section II-12 (a-d) are received by the County after payments from Rincon Band have already been paid to the County, the County shall reimburse Rincon Band within 30 days from receipt of such funds if mutually agreed.

III. MISCELLANEOUS

13. Other Studies

County will be responsible for the preparation of any studies, environmental review, right-of-way acquisition, and construction needed to complete the offsite road improvements as identified in this Agreement. Rincon Band's contributions for road improvements include the costs of studies, environmental review, right of way acquisition and construction.

14. Tribal-State Compact

County and Rincon Band agree that Rincon Band's contributions to County pursuant to this Agreement are not exactions or fees imposed as a condition of development, and therefore are not subject to the Mitigation Fee Act (California Government Code Section 66000 and following). County and Rincon Band agree that Class III gaming facilities on reservation land are regulated by the Compact and that the County has no permitting authority over the construction of the casino. The voluntary contributions contemplated by this Agreement are being made by Rincon Band pursuant to Section 10.8 of the Compact.

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Rincon J. A. L.

County _____

15. Notices

All notices required or provided for under this Agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid, return receipt requested to the principal offices of the County and Rincon Band. Notice shall be effective on the date delivered in person, or on the date when the postal authorities indicated that the mailing was delivered to the address of the receiving party indicated below:

Notice to Rincon Band: Rincon Business Committee
Rincon San Luiseno Band of Mission Indians
One West Tribal Road
Valley Center CA 92082

Notice to County: County of San Diego
5555 Overland Avenue Ave., Bldg. 2, Room 156
San Diego, CA 92123-1295
Attn: Director of Public Works

Such written notices, demands, correspondence and communications may be sent in the same manner to such other persons and addresses as either party may from time to time designate by mail as provided in this section. A party may change its address by giving notice in writing to other Party and thereafter notices shall be delivered or sent to such new address.

16. Applicable Laws

This Agreement shall be construed and enforced in accordance with the laws of the United States and the State of California.

17. Consent To Jurisdiction: Limited Waiver of Sovereign Immunity and Exhaustion Of Tribal Remedies.

a) Rincon Band grants a limited waiver of sovereign immunity from suit exclusively to County, and to no other entity or person, for the sole purpose of enforcing this Agreement. For this limited purpose, Rincon Band (i) agrees that any suit, action or other legal proceeding arising out of or relating to this Agreement may be brought in the federal courts of the United States, or in the event the federal courts refuse to hear such case for lack of jurisdiction, the State courts of the State of California (including any courts to which appeals there from are available); (ii) waives its sovereign immunity in any such suit, action or legal proceeding by County for money damages, specific performance, injunctive relief and/or declaratory relief for Rincon Band's breach of this Agreement. Rincon Band does hereby unconditionally waive any claim or defense of exhaustion of tribal administrative or judicial remedies. In no

Cooperative Agreement

Page 8 of 10

Rincon

County

instance shall any enforcement of any kind whatsoever be allowed against any assets of Rincon Band other than the limited assets of the revenue stream of the Rincon Casino and physical assets of the Rincon Casino. Specifically, this waiver shall not extend to any other accounts of Rincon Band, the source of which includes distributions from accounts directly related to the Rincon Casino, so long as such distributions are in the ordinary course of business when the Agreement is not in default and are not done for the purpose of frustrating the County's remedies hereunder. Rincon Band does not waive the defense of sovereign immunity with respect to any action by third parties, or extend its waiver to reach any assets of Rincon Band other than those specifically set forth herein.

b) County acknowledges that Rincon Band may bring an action in the State Courts of California to enforce the terms of this agreement as against San Diego County for money damages, specific performance, injunctive relief and/or declaratory relief for County's breach of this Agreement. County acknowledges that State Courts with proper venue have jurisdiction to hear such disputes. For purposes of the Agreement, County waives any immunity it may have from suits to enforce the provisions of the Agreement.

18. Entire Agreement, Waivers

This Agreement constitutes the entire understanding and agreement of the Parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreement between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the County or of Rincon Band.

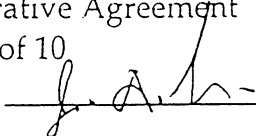
19. Amendments

This Agreement may be amended by mutual written agreement of the Parties duly executed by the lawfully authorized officers or officials of each party.

Cooperative Agreement

Page 9 of 10

Rincon



County

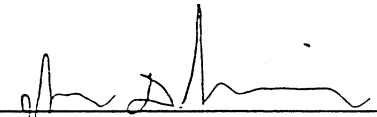


IN WITNESS WHEREOF, the Agreement has been executed by the Parties as of the day and year first set forth above,

TRIBE:

RINCON SAN LUISENO BAND OF
MISSION INDIANS, a federally
recognized Indian Tribe

By:



Tribal Chairman

COUNTY:

COUNTY OF SAN DIEGO,
a political subdivision of the State of
California


By:

Clerk of the Board of Supervisors

Cooperative Agreement

Page 10 of 10

Rincon



County

DEPARTMENT OF COMMUNITY DEVELOPMENT
COUNTY CLERK



EXHIBIT A

COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE RINCON SAN LUISENO BAND OF MISSION INDIANS FOR ROAD IMPROVEMENTS ASSOCIATED WITH CASINO DEVELOPMENT

FRONTAGE ROAD IMPROVEMENTS

1. Grant right-of-way for public highway along the project frontage to complete a forty-eight foot (48') half width, plus slope and drainage easements, from the centerline of Valley Center Road (C.E. Route SF 639).
2. Apply to the County Traffic Advisory Committee (TAC) for a parking prohibition along the West side of the project frontage on Valley Center Road (CE Route SF639).
3. To process the necessary right-of-way dedication documents, provide a Lot Book Report not less than three months old showing all Deeds of Trust, a Grant Deed, and a \$400.00 deposit for document processing fees to the County Department of General Services, Real Property Division. The Real Property Division can be reached at (858) 694-2297.
4. Allow transfer of the property into Zone A of the San Diego County Street Lighting District without notice or hearing and pay the cost to process such transfer. Contact Special Districts at 858 571-4258.
5. Construct roadway improvements on Valley Center Road (C.E. Route SF 639) along the project frontage. These improvements shall include the following:
 - a) Installation of asphalt concrete dike, driveway(s), disintegrated granite walkway and asphalt concrete pavement over approved base, to the satisfaction of the Director of Public Works. The face of dike and curb returns shall be thirty-eight feet (38') from centerline.
 - b) Provide a two-way left turn lane on Valley Center Road (C.E. Route SF 639) to the satisfaction of the Director of Public Works.
 - c) Design an asphaltic concrete raised island within the most southerly and northerly project driveway(s) for right-in/right-out ingress/egress movements only and provide right-in/right-out only signs to the satisfaction of the Director of Public Works. Left turning movements

into the most southerly and northerly project driveway from Valley Center Road shall not be allowed.

- d) Install a traffic signal at the ultimate location of the intersection of the project's main driveway entrance (2nd driveway north of the most southerly driveway) and Valley Center Road (C.E. Route SF 639) to the satisfaction of the Director of Public Works.
 - e) Provide a minimum twelve-foot (12') striped acceleration lane, and a taper transition from the most southerly driveway to the existing edge of pavement to the satisfaction of the Director of Public Works.
 - f) Provide a minimum twelve foot (12') striped deceleration lane at the proposed project's most southerly driveway to the satisfaction of the Director of Public Works.
 - g) Provide a minimum twelve foot (12') striped acceleration lane and deceleration lane at the proposed project's driveway entrance (3d driveway north of the most southerly driveway) to the satisfaction of the Director of Public Works.
 - h) Provide a minimum twelve foot (12') striped acceleration lane at the proposed project's driveway entrance (4th driveway north of the most southerly driveway) to the satisfaction of the Director of Public Works.
 - i) Construct two hundred foot (200') long deceleration lane, plus a two hundred fifty (250') tapered transition, at the proposed project driveway (4th driveway north of the most southerly driveway) to the satisfaction of the Director of Public Works.
 - j) Additional improvements upon further review may include drainage improvements and traffic striping to the satisfaction of the Director of Public Works. This will be satisfied upon completion and approval of Improvement Plans.
6. Provide a detailed design and striping/signage plan for Valley Center Road (C.E. Route SF 639) to the satisfaction of the Director of Public Works.
7. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum of six hundred feet (600') of unobstructed sight distance in both directions from all the proposed driveway(s) along Valley Center Road (C.E. Route SF 639) per the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor

shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required".

8. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall certify that the sight distance of adjacent driveways and street openings within six hundred feet (600) beyond all improvements along Valley Center Road (C.E. Route SF 639), will not be adversely affected by this project.
9. Coordinate improvements along Valley Center Road (C.E. Route SF 639) at the project frontage relative to the construction of the Valley Center Bridge (over San Luis Rey River) with the Department of Public Works, Capital Improvement Projects Section 858 694-2343.
10. Submit a letter from the Rincon San Luiseno Band of Mission Indians outlining all arrangements to enforce the Band's Ordinance No. 94-06 relative to protecting open range cattle and the motoring public safety on Valley Center Road (C.E. Route SF 639).
11. Submit a traffic control plan to Department of Public Works Traffic Section and apply for a traffic control permit from the Department of Public Works at 858 874-4025.
12. Regional Water Quality Control Board programs limit pollutant discharges into storm water. Provide a Storm Water Quality Management Plan for the site showing all proposed Best Management Practices (BMPs). Note: Discharge of roof drains and parking lots directly into storm drains is discouraged. Use of grass-lined strips for "treating" runoff prior to discharge is a better storm water quality BMP.
13. To construct roadway improvements within the right-of-way, execute the following procedures:
 - a) Engage a registered civil engineer to prepare the roadway improvement plans (curb grade drawing).
 - b) Submit six blue line copies of the curb grade drawing, an engineer's estimate of cost for the roadway improvements, and plan checking deposit to the Department of Public Works, Grading and Improvements Counter, 5201 Ruffin Road, San Diego, CA 92123.
 - c) Execute a Secured Agreement, to include all improvements, with the County of San Diego to assure the construction of roadway improvements.

- d) Obtain an instrument of credit, letter of credit, or make a cash deposit to the County of San Diego in the amount determined by this department as necessary to secure the roadway improvements. This amount can only be determined after receiving Rincon Band's engineer's cost estimate and completion of County field check.

14. In addition to the foregoing, a typical Construction Permit cannot be issued by the Department of Public Works, until the following requirements are met:

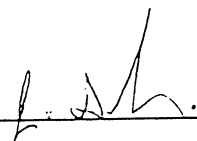
- a) Obtain an approved curb grade drawing and engineer's cost estimate from the Department of Public Works.
- b) Sign the right-of-way dedication documents.
- c) Sign the Secured Agreement.
- d) Pay the necessary construction inspection deposits as determined by the Department of Public Works.

15. Before any security will be released by the Director of Public Works, Rincon Band will be required to:

- a. Complete all required improvements to the satisfaction of the Director of Public Works.
- b. Complete all required items to the satisfaction of the Director of Public Works.
- c. Notify the Department of Public Works Traffic Section at 858 874-4030 when the traffic signal at the project's main driveway entrance (2nd north of the most southerly driveway) and Valley Center Road (C.E. Route SF 639) has been activated.
- d. Pay off any and all project deficits.

16. Department of Public Works policy prohibits trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface application. Therefore, notify all adjacent property owners who may be affected by this policy and are considering development of applicable properties. The owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

Rincon



4

County _____



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

DATE: June 19, 2001

TO: Board of Supervisors

SUBJECT: COOPERATIVE AGREEMENT WITH SAN PASQUAL BAND OF
MISSION INDIANS FOR CASINO-RELATED ROAD IMPROVEMENTS
(District: 5)

SUMMARY:

Overview

Several San Diego County Indian Bands have signed Tribal State Gaming Compacts with Governor Gray Davis, which allow them to build up to two Class III casinos on their reservations. The casinos will have significant impacts on County roads; therefore the County intends to work with each of the Gaming Tribes to develop agreements to ensure that impacts are adequately mitigated. The Agreement before the Board today is the second of what staff hopes will be negotiated with each of the Gaming Tribes whose projects impact County resources and infrastructure.

The San Pasqual Band of Mission Indians is one of the 12 Bands in the county that have signed a Tribal State Gaming Compact. San Pasqual reservation is located in the unincorporated area of North San Diego County in the vicinity of the community of Valley Center. San Pasqual Band opened their interim casino on April 18, 2001 and plans to begin construction of their permanent casino later this year. Access to San Pasqual Band's gaming projects is via Lake Wohlford Road, which is within the County maintained system and partly within the City of Escondido (Escondido). San Pasqual Band has no obligation to seek County approval before constructing casinos, however, recognizing that its casino projects have significant impacts on Lake Wohlford Road, the Band initiated the drafting of an agreement to voluntarily contribute funding toward Lake Wohlford Road improvements both in the County and in Escondido.

This is a request to approve a Cooperative Agreement (Agreement) with San Pasqual Band, where San Pasqual Band will contribute \$6,149,349 for frontage and offsite improvements to Lake Wohlford Road to mitigate impacts from its casino traffic. Of this amount, \$807,905 is for frontage improvements in the County, \$4,418,000 is for offsite improvements in the County, and \$923,444 is for offsite improvements in Escondido. This is the second such agreement entered into with a tribal band of

**SUBJECT: COOPERATIVE AGREEMENT WITH SAN PASQUAL BAND OF INDIANS
FOR CASINO-RELATED ROAD IMPROVEMENTS (District: 5)**

Indians, with the Rincon Band agreement approved March 20, 2001 (12) being the first.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

1. Find the following action is not subject to California Environmental Quality Act (CEQA) review under Section 15601(b)(1) of CEQA Guidelines because it is not a project as defined in Section 15378.
2. Approve and authorize the Clerk of the Board of Supervisors to execute four copies of a Cooperative Agreement between the County of San Diego and San Pasqual Band of Mission Indians for Road Improvements Associated with Casino Development.
3. Authorize the Director, Department of Public Works, to receive, file and execute any documents necessary to administer this Agreement.

Fiscal Impact

Funds for this request will be budgeted over the next two years, beginning in FY 01-02. Funding source will be San Pasqual Band of Mission Indian contributions (\$5,341,444). Not included in this total are San Pasqual Band frontage improvements along Lake Wohlford Road, which will be contracted and funded entirely by San Pasqual (\$807,905) with no County cost or revenue. Approximate FY 2001-02 year cost and revenue will be \$1,350,000. Approximate FY 2002-03 cost and revenue will be \$3,991,444. No additional staff years will be required.

Business Impact Statement

N/A

Advisory Board Statement

N/A

BACKGROUND:

Road improvements associated with casino development at San Pasqual Band are extensive, including frontage and off-site projects that will mitigate impacts of San Pasqual Band's casino traffic.

Proposed improvements were determined taking into consideration present traffic levels, estimated casino traffic and the cumulative effect of other development projects. Estimated costs to mitigate casino traffic impacts were based on several factors, including projected casino related traffic volumes, type and scope of improvement necessary, incremental road capacity of future road improvements, and estimated cost per mile of road.

**SUBJECT: COOPERATIVE AGREEMENT WITH SAN PASQUAL BAND OF INDIANS
FOR CASINO-RELATED ROAD IMPROVEMENTS (District: 5)**

The following summarizes the road improvements covered by this Agreement, and San Pasqual Band contributions:

San Pasqual Band Frontage Improvements to Lake Wohlford Road

Under the Agreement, San Pasqual Band will perform improvements along Lake Wohlford Road where it has frontage on tribal land. San Pasqual will provide a traffic study, proposed design and permit application to the County. Improvements may include a traffic signal, turn lanes, road widening, acceleration and deceleration lanes, sight distance improvements, signage and road striping, and associated right-of-way. These improvements are anticipated to cost approximately \$807,905. San Pasqual Band will be responsible, however, for full cost of these improvements, regardless of cost. San Pasqual Band has already completed most of these improvements.

Offsite Improvements and Contributions for County and Escondido Roads

San Pasqual Band agrees to pay \$5,341,444 toward improvements to Lake Wohlford Road from the intersection of Lake Wohlford Road with Valley Center Road in Escondido to the intersection of Lake Wohlford Road with Woods Valley Road in the unincorporated County. Improvements may include turnouts, passing lanes, curve straightening, guardrail, bike lanes, shoulder widening, pavement markings and signage, sight distance improvements, and intersection improvements. The following chart shows estimated costs associated with these improvements.

	Estimated Cost (In County)	Estimated Cost (In Escondido)	Estimated Payment Date
Preliminary study	\$124,000	\$26,000	July 1, 2001
Near-term improvements	\$414,000	\$86,000	January 1, 2002
Design, environmental and right-of-way for long-term improvements	\$580,000	\$120,000	January 1, 2002
Construction of long-term improvements	\$3,300,000	\$691,444	January 1, 2003
Subtotal	\$4,418,000	\$923,444	
Total	\$5,341,444		

Agreement Terms

The Agreement with San Pasqual Band provides for contributions outlined above, which were determined by staff to be necessary to mitigate traffic impacts resulting from the casino projects. It includes County protection in a limited waiver of sovereign immunity and a letter of credit or bond from San Pasqual Band. Because contribution amounts are based on today's costs of construction, the Agreement provides for payments to be adjusted for inflation based on the Engineering News Record Cost of Construction Index published by McGraw-Hill Publishing Company from the date of this Agreement to the payment date. The Agreement also contains a provision to allow San Pasqual Band to perform offsite improvements through San Pasqual Band

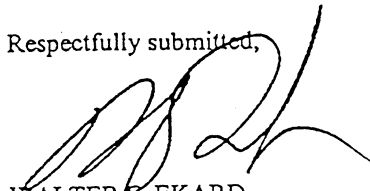
SUBJECT: COOPERATIVE AGREEMENT WITH SAN PASQUAL BAND OF INDIANS
FOR CASINO-RELATED ROAD IMPROVEMENTS (District: 5)

consultants and contractors, similar to how frontage improvements are performed, subject to prior approval of San Pasqual Band's specific proposal by the Director, DPW.

Environmental Statement

This action is not a project as defined in Section 15378 of CEQA guidelines, and is therefore exempt from CEQA review under Section 15061(b)(3) of CEQA Guidelines. The Agreement describes the method by which future road improvements will be funded and reviewed by the Department of Public Works. When such road projects are submitted for preliminary design engineering, all required environmental documents will be prepared in accordance with CEQA and State and County CEQA Guidelines.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Ekard', written over a horizontal line.

WALTER F. EKARD
Chief Administrative Officer

Robert R. Copper
Deputy Chief
Administrative Officer

**SUBJECT: COOPERATIVE AGREEMENT WITH SAN PASQUAL BAND OF INDIANS
FOR CASINO-RELATED ROAD IMPROVEMENTS (District: 5)**

ATTACHMENT

Graphic of roads in vicinity of San Pasqual Reservation

cc: San Pasqual Management Committee, San Pasqual Band of Indians, P.O. Box 2379,
Valley Center, CA 92082
Christine Nagel, National Indian Gaming Commission, 1441 L Street, NW 9th Floor,
Washington, D.C. 20005
Greg Bergfeld, NIGC Regional Chief, 501 "T" Street, Suite 12400, Sacramento, CA
95814
Virgil Townsend, Superintendent, United States Department of the Interior, Bureau of
Indian Affairs, 2038 Iowa Avenue, Suite 101, Riverside, CA 92507-2471
U.S. Department of the Interior, Bureau of Indian Affairs, Pacific Region, 2800 Cottage
Way, Room W-2550, Sacramento, CA 95825-1846
Kathleen Gnekow, Esq., Deputy Attorney General, Indian Gaming Section, 1300 "T"
Street, P.O. Box 944255, Sacramento, CA 94244-2550
Harlan Goodson, Director, California Division of Gambling Control, 1300 "T" Street,
Sacramento, CA 95814
California Gambling Control Commission, P.O. Box 526013, Sacramento, CA 95852-
6013
U.S. Senator Dianne Feinstein, 331 Hart Senate Office Building, Washington, DC 20510-
0504
U.S. Senator Barbara Boxer, 112 Hart Senate Office Building, Washington, DC 20510-
0505
Gray Davis, Governor State Of California, State Capitol Building, Sacramento Ca 95814
David Rosenberg, Governor Special Assistant, Local Government Affairs, State Capitol
Building, Sacramento Ca 95814
U.S. Representative Darrel Issa, 48th District, 1725 Longworth House Office Bldg,
Washington, DC 20515-0549
Senator Ray Haynes, 36th District, P.O. Box 942848, Sacramento, CA 94248-0001
Assembly Member Dennis Hollingsworth, 66th District, P.O. Box 942849, Sacramento,
CA 94249-0001
Cheryl Schmit, Stand Up For California, P.O. Box 355, Penryn, CA 95663
Chet Barfield, San Diego Union Tribune, P.O. Box 120191, San Diego, CA 92112-0191
Edward Sifuentes, North County Times, 207 E. Pennsylvania Ave., Escondido, CA
92025
Larry Glavinic, Valley Center Planning Group, P.O. Box 127, Valley Center,
CA 92082
Claudia Anzures, Esq., M.S. A12
Joseph M. DeStefano II, Department of Planning and Land Use, M.S. O650
Bob Goralka, Department of Public Works, M.S. O336
Marilyn Buck, Strategy & Intergovernmental Affairs, M.S. A247

SUBJECT: COOPERATIVE AGREEMENT WITH SAN PASQUAL BAND OF INDIANS
FOR CASINO-RELATED ROAD IMPROVEMENTS (District: 5)

AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	<input checked="" type="checkbox"/> Yes	
Written disclosure per County Charter §1000.1 required?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
GROUP/AGENCY FINANCE DIRECTOR	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A
CHIEF FINANCIAL OFFICER	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A
Requires Four Votes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
CHIEF TECHNOLOGY OFFICER	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
DEPARTMENT OF HUMAN RESOURCES	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
Other Concurrence(s): N/A		

ORIGINATING DEPARTMENT: Public Works

CONTACT PERSON(S):

John Snyder
Name
(858) 694-2233
Phone
(858) 268-0461
Fax
0332
Mail Station
Jsnydepw@co.san-diego.ca.us
E-mail

Donna Kremer
Name
(858) 505-6470
Phone
(858) 268-0461
Fax
0332
Mail Station
Dkremepw@co.san-diego.ca.us
E-mail

AUTHORIZED REPRESENTATIVE: _____
JOHN L. SNYDER, Director

SUBJECT: COOPERATIVE AGREEMENT WITH SAN PASQUAL BAND OF INDIANS
FOR CASINO-RELATED ROAD IMPROVEMENTS (District: 5)

AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:

March 20, 2001 (12), Approved a cooperative agreement with Rincon San Luiseño Band of Mission Indians for casino-related road improvements.

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

CONTRACT NUMBER(S):

N/A

SUBJECT: COOPERATIVE AGREEMENT WITH SAN PASQUAL BAND OF INDIANS
FOR CASINO-RELATED ROAD IMPROVEMENTS (District: 5)

FISCAL IMPACT STATEMENT

DEPARTMENT: Public Works

PROGRAM: Engineering Services

PROPOSAL: Agreement with San Pasqual Band of Indians for Casino Related Road Improvements

	FUTURE YEARS ESTIMATED BUDGET OF PROPOSAL IF ADOPTED				
	(a)	(b)	(c)	(d)	(e)
	Budgeted Amount For Proposal	Proposed Change in Budgeted Amount	Proposed Revised Current Year Budget (a+b)	1st Subsequent Year	2nd Subsequent Year
Direct Cost	\$0	\$0	\$0	\$1,350,000	\$3,991,444
Revenue/Other Offset	\$0	\$0	\$0	\$1,350,000	\$3,991,444
NET GENERAL FUND COST	\$0	\$0	\$0	\$0	\$0
Staff Years					

Sources of Revenue/Other Offset for Proposed Change and Subsequent Years:
San Pasqual Band Contributions

\$1,350,000 \$3,991,444

Space-Related Impacts: Will this proposal result in any additional space requirements? ☐ Yes ☒ N/A

Support/Other Departmental Impacts: ☐ Yes ☒ N/A

Remarks: ☒ Yes ☐ N/A

The above chart reflects anticipated revenues from San Pasqual Band being contributed toward Department of Public Works Capital Improvement Projects (per attachment). Approval of Agreement will result in cost and revenue for FY 2001-02 (\$1,350,000) and FY 2002-03 (\$3,991,444).

There will be no impact to the County General Fund as a result of these actions.

SAN PASQUAL BAND OF MISSION INDIANS

Business Committee Resolution No. SP060501-01

WHEREAS, the San Pasqual Band of Mission Indians is a federally recognized Indian tribe; and

WHEREAS, the San Pasqual Band has entered into a Tribal-State Compact with the State of California; and

WHEREAS, the San Pasqual Band has adopted an Off-Reservation Environmental Impacts Ordinance; and

WHEREAS, the San Pasqual General Council has approved the planning, financing, construction and operation of a temporary and a permanent casino on the San Pasqual Indian Reservation; and

WHEREAS, the San Pasqual Band and the County of San Diego have negotiated a Cooperative Agreement relating to road improvements associated with the development of the San Pasqual casinos.

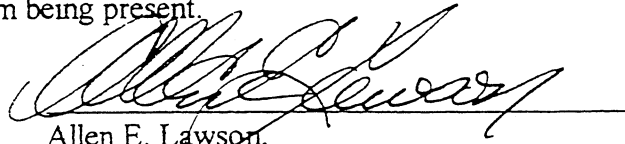
NOW THEREFORE, BE IT RESOLVED by the San Pasqual Business Committee that:

1) the Cooperative Agreement Between the County of San Diego and the San Pasqual Band of Mission Indians For Road Improvements Associated With Casino Development is hereby approved; and


2) the Tribal Spokesman and Secretary-Treasurer are hereby authorized to execute the agreement on behalf of the San Pasqual Band of Mission Indians.

CERTIFICATION

The foregoing Resolution was duly adopted by the San Pasqual Business Committee at a Special Meeting held on 6-5-01, 2001 by a vote of 4 for, 0 against, 0 abstaining, a quorum being present.


Allen E. Lawson,
Spokesman

Attest:


Tilda Green
Secretary - Treasurer

**COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO
AND THE SAN PASQUAL BAND OF MISSION INDIANS FOR ROAD
IMPROVEMENTS ASSOCIATED WITH CASINO DEVELOPMENT**

This Cooperative Agreement (hereinafter "Agreement") is made this 19th day of June 2001, by and between the County of San Diego, ("County") and the San Pasqual Band of Mission Indians ("San Pasqual Band").

WHEREAS, San Pasqual Band has signed a Tribal State Gaming Compact ("Compact") with the State of California that will allow San Pasqual Band to develop up to two Class III casinos on its tribal lands; and

WHEREAS, San Pasqual Band has tribal lands which are located within the unincorporated area of San Diego County; and

WHEREAS, San Pasqual Band has developed a temporary Class III casino on its tribal lands, and will in the future develop a permanent Class III casino on its tribal lands; and

WHEREAS, the permanent Class III casino project as currently planned will consist of the development of approximately 55 gross acres with following elements: A 347,000 square foot casino building with 68,600 square feet of gaming space; a 238 room hotel of approximately 125,000 square feet; and 2,400 parking spaces; and

WHEREAS, access to the tribal lands and proposed and existing San Pasqual Band gaming facilities is via County-maintained and City of Escondido (Escondido) maintained roads located within the unincorporated area of San Diego County and Escondido; and

WHEREAS, under its Compact, the San Pasqual Band has adopted an "Off-Reservation Environmental Impacts Ordinance" which requires an environmental analysis of potential off-reservation impacts caused by casino construction projects and good faith efforts to mitigate such off-reservation impacts; and

WHEREAS, the San Pasqual Band has completed the required environmental analyses with respect to its temporary and permanent casino projects; and

WHEREAS, the County offered substantial comments during the development of those environmental analyses; and

WHEREAS, the most significant of the off-reservation impacts identified by those analyses were certain off-reservation traffic impacts on certain County-maintained roads and certain Escondido-maintained roads; and

Cooperative Agreement

Page 1 of 11

San Pasqual



County _____

WHEREAS, in an effort to work cooperatively with the County in order to effectively mitigate off-reservation environmental impacts of its casino projects, the San Pasqual Band has agreed to voluntarily contribute funding toward the improvement of such County maintained roads and Escondido maintained roads. The County and Escondido have no other existing program or means by which to obtain funding for the road improvements, and San Pasqual Band is not obligated to seek the County's or Escondido's approval before constructing its Class III casino project. It is therefore in the County's interest to enter into this Cooperative Agreement so that the County-maintained and Escondido-maintained roads in the vicinity of the Class III casino may be improved so as to benefit the County, Escondido and the San Pasqual Band; and

WHEREAS, by its execution of this Agreement, the County acknowledges the San Pasqual Band's compliance with its obligations to mitigate impacts to County-maintained roads and Escondido-maintained roads under the environmental impacts provision of the Compact;

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

I. FRONTAGE IMPROVEMENTS

1. Temporary Casino:

For the temporary casino, San Pasqual Band will provide frontage improvements at the intersection of Lake Wohlford Road and Nyemi Pass Road, per County Department of Public Works Permit No. C32084 issued March 29, 2001. The estimated cost of the improvements is \$135,761. San Pasqual Band has compensated the County for costs associated with the engineering plan review, inspection, building material testing fees, and permit processing at an estimated cost of \$22,144.

2. Permanent Casino:

Prior to opening the permanent casino, San Pasqual Band shall provide improvements needed along Lake Wohlford Road where it has frontage on tribally owned lands in the vicinity of the driveway. The improvements shall be made according to current County construction and design standards for road improvements and to the satisfaction of the County Director of Public Works. Frontage improvements needed may include a traffic signal, turn lanes, road widening, acceleration and deceleration lanes, sight distance improvements, signage and road striping, drainage improvements, and associated right-of-way.

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- a) To determine the needed frontage improvements, San Pasqual Band will provide a traffic study, a proposed design, and a permit application to the County. Prior to initiating the traffic study and design, San Pasqual Band and County Department of Public Works (DPW) will meet to review County permit procedures and road standard requirements.
- b) Once DPW has found the traffic study and design satisfactory, DPW will issue necessary permits to allow construction of the improvements.
- c) If a traffic signal is required, schedule for installation will be based on a determination by the County Director of Public Works that traffic volume warrants the installation. The County will provide San Pasqual Band 180 days advance notice of the requested installation and operation date.
- d) The total cost to San Pasqual Band for the aforementioned improvements is estimated to be \$650,000. San Pasqual Band will be responsible for the full cost of the improvements, regardless of the ultimate cost.
- e) San Pasqual Band will provide deposits to compensate the County for costs associated with review of traffic study and design submission, permit processing, inspection, and building material testing fees for the frontage improvements, at the County's usual and customary rates. San Pasqual Band will only be responsible to pay County such staff costs as determined by County Director of Public Works are reasonable and necessary. At the end of all tasks, any excess deposits paid by San Pasqual Band will be refunded to San Pasqual Band. County will provide a detailed accounting of actual costs against these monies.

3. At San Pasqual Band's request, together with payment of an additional deposit if necessary, the County will provide additional technical assistance to assist in completion of the improvements. Any monies paid by San Pasqual Band per this section that are not used by County to directly offset costs shall be promptly repaid to San Pasqual Band.

4. San Pasqual Band will be responsible for complying with approved plans and specifications and will make any reasonable changes as requested by County staff following construction inspections. San Pasqual Band hereby gives its permission to County to perform inspections on tribal lands as necessary during construction of frontage road improvements.

5. County will perform a final inspection of road improvements on tribal lands to verify construction according to County approved permits. County agrees to take the frontage road improvements into the County's maintained road system when the improvements are found to be completed and in conformance with the approved permit.

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II. OFFSITE IMPROVEMENTS AND/OR CONTRIBUTIONS FOR COUNTY AND ESCONDIDO ROADS

6. Agreed Improvements and Payments:

- a) San Pasqual Band agrees to pay a total of \$5,341,444 towards improvements to Lake Wohlford Road from the intersection of Lake Wohlford Road with Valley Center Road in Escondido, to the intersection of Lake Wohlford Road with Woods Valley Road in the unincorporated County. Of this amount, San Pasqual Band agrees to pay \$4,418,000 towards improvements to County-maintained portions of Lake Wohlford Road and \$923,444 towards improvements to Escondido-maintained portions of Lake Wohlford Road. Improvements will consist of operational improvements and may include construction of turnouts, passing lanes, curve straightening, intersection improvements, guardrail, bike lanes, shoulder widening, pavement markings and signage, drainage improvements and sight distance improvements.

County will have lead responsibility to coordinate planning, design, environmental studies, and construction of the improvements. Upon approval of this agreement, County will pursue a separate agreement with Escondido regarding the improvements to Escondido-maintained portions of Lake Wohlford Road.

- b) To identify the most desirable mix of improvements, a Preliminary Study will be performed to identify improvement alternatives, environmental constraints, and costs. San Pasqual Band may provide recommendations and County and Escondido will decide improvements to be performed.
- c) The decided scope of improvements will then be segregated into those that can be readily performed (Near-Term Improvements) and those that require extensive design, environmental studies, or right-of-way acquisition (Long-Term Improvements).
- d) Payments for improvements to Lake Wohlford Road shall be considered to be two separate projects, one for improvements in the County portion of Lake Wohlford Road (\$4,418,000), and one for improvements in the Escondido portion of Lake Wohlford Road (\$923,444). These amounts are before adjusting for inflation per Section II-8. Payments associated with one of these two projects cannot be used for the other project.

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- e) Of the total contribution amount of \$5,341,444, it is estimated that costs and the schedule of required payments will be as follows:

	Est Cost (In County)	Est Cost (In Escondido)	Est Date Due
Preliminary Study	\$124,000	\$26,000	7/1/01
Near-Term Improvements	\$414,000	\$86,000	1/1/02
Design, Environmental, Right-of-Way for Long-Term Improvements	\$580,000	\$120,000	1/1/02
Long-Term Improvements, Construction	<u>\$3,300,000</u>	<u>\$691,444</u>	1/1/03
Subtotal	\$4,418,000	\$923,444	
Total	\$5,341,444		

- f) County agrees to schedule work as early as feasible. County shall negotiate in good faith with the San Pasqual Band to construct such improvements so as to minimize any disruption of traffic flow to the casino.
- g) Payments by San Pasqual Band for the items listed in Section II-6 (e) shall be made within 45 days of request by Director, Department of Public Works, provided such request otherwise conforms with the notice provision of Section III-14 of this Agreement. For construction of the Long-Term Improvements, such request shall be made 90 days prior to the County bidding the construction contract.
- h) Upon issuance by the National Indian Gaming Commission (NIGC) of a Finding Of No Significant Impact (FONSI) for the permanent casino project, San Pasqual Band shall cause to be executed a binding Letter of Credit issued by a financial institution subject to regulation by the state or federal government for the sole benefit of County in the amount of \$1,350,000.00 or other form of security reasonably acceptable to the County, to secure the obligations identified in this section. At the time County receives payments for the Band's obligations in this section, County will execute reasonable documents necessary to reduce proportionately the amount of the Letter of Credit or other instrument. The executed Letter of Credit or other instrument will be provided to County within 30 (thirty) days after NIGC approval of the management contract and the issuance of a FONSI for the permanent casino project.
- i) In the event the payment to County pursuant to this section becomes due and owing prior to the approval by the NIGC of a FONSI for the permanent casino project, such payment shall not become due and owing until such approval has been granted.

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- j) The San Pasqual Band shall have the right to utilize San Pasqual Band consultants and contractors for any portion of studies, design, and construction of offsite improvements referenced in Section II of this agreement, provided that the proposal is approved by the Director, DPW. The proposal shall include provisions to accomplish the work, County review procedures, County inspection and acceptance of improvements, necessary permits, and a proposed schedule. Director, DPW approval must be obtained prior to San Pasqual Band proceeding with any work associated with offsite improvements.

7. Acknowledgement of Additional Impacts

San Pasqual Band and County acknowledge that in consideration for San Pasqual Band's contributions to Lake Wohlford Road improvements identified in this section, any additional road impacts will be mitigated solely by County sponsored improvement projects at no additional cost to San Pasqual Band.

8. Adjustment of Payments for Inflation.

Payments required in Part II, Section 6 of this Agreement shall be adjusted from the date of this Agreement by applying an adjustment factor based on the increase or decrease in the Engineering News Record Cost of Construction Index published by McGraw-Hill Publishing Company, or any successor thereof. County shall notify San Pasqual Band of any adjustments at the time of County request for payment. This provision shall not apply to any payments that become due and owing from San Pasqual Band to County after June 19, 2011.

9. Adjustments to Payments.

In the event that County or Escondido downsizes or withdraws their respective Lake Wohlford road improvement project and the construction costs are also reduced, San Pasqual Band's financial obligation shall be adjusted proportionately. Adjustments for downsizing shall be determined at the time an improvement is ready for construction procurement.

In the event that size of the Permanent Casino gaming area or the number of hotel rooms is reduced from or expanded above the planned 68,600 square feet and 238 rooms respectively, San Pasqual Band's financial obligation shall be adjusted based on the proportional change in estimated average daily traffic trips generated. Trip generation factors on which this agreement is based are 100 trips per 1,000 square feet of gaming area and 3 trips per hotel room.

If costs already have been incurred before the determination is made to change the size of the casino project, and a portion of those costs cannot be redirected to the studies,

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road improvements, design, environmental review, and right-of-way for the new casino project, then the adjusted financial obligation will be adjusted by the amount of cost that cannot be redirected.

10. Contingency for Non-Issuance of FONSI or Non-Development of Permanent Casino Project.

In the event that NIGC disapproves the issuance of the FONSI or the submission to the NIGC is withdrawn, San Pasqual Band shall be responsible for only those provisions set forth in Section I-1, and San Pasqual Band and County shall renegotiate government-to-government, in good faith, the provisions set forth in Section I-2 and Section II based on the scope of the gaming facility the San Pasqual Band approves in the place of its existing plans.

In the event that San Pasqual Band notifies County in writing that the permanent casino project described in this Agreement is not going to be developed, and such notice is provided to County after County has contracted for or performed any work under this Agreement, San Pasqual Band shall be responsible only to pay for work performed prior to the date of such notice and any costs of canceling any contracts entered into by the County to perform the work.

11. Reimbursements/credits for contributions from third party sources.

County agrees to reimburse or credit San Pasqual Band as follows:

- a) In the event that San Pasqual Band receives funding from state or federal sources, and directs those monies to be paid directly to County, County shall accept 100% of such payment as if it were a payment paid directly by San Pasqual Band.
- b) In the event County receives funding from the Special Distribution Fund created under the Compact, earmarked for mitigation of off-reservation road impacts resulting from the San Pasqual Casino Project, County shall accept 100% of such payment as if it were a payment paid directly by San Pasqual Band.
- c) In the event County receives funding from the Special Distribution Fund, earmarked for road improvement projects to mitigate off-reservation road impacts from Indian casinos in "North County," a credit shall be made in the name of San Pasqual Band in an amount calculated by the following formula:

(Total number of gaming devices operated by San Pasqual Band as of date of funds disbursed to County divided by the number of gaming devices operated by San Pasqual

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Band, Pala Band, Rincon Band, Pauma Band, La Jolla Band).

- d) In the event County receives funding from the Special Distribution Fund, earmarked for road improvement projects to mitigate off-reservation road impacts from Indian casinos a credit shall be made in the name of San Pasqual Band in an amount calculated by the following formula:

(Total number of gaming devices operated by San Pasqual Band as of date of funds disbursed to County divided by the number of gaming devices operated on Indian lands as of same date within the external boundaries of County).

- e) In the event County receives funding from the Special Distribution Fund, earmarked only for mitigation of off-reservation impacts other than road improvements, no credit shall be made to San Pasqual Band under this agreement.
- f) For purposes of calculating the formulas set forth in subsections 11(c) and 11(d) above, in the event County is unable to verify the number of devices, it shall be assumed that each gaming tribe operating within San Diego County is operating an equal number of devices.
- g) If during the course of negotiation of comparable agreements with other gaming tribes operating within San Diego County, County notifies San Pasqual Band that the agreements, collectively, are inconsistent, burdensome or unfair, San Pasqual Band and County shall renegotiate government-to-government, in good faith, the provisions set forth in this Section II-11.
- h) Where County is responsible for the balance of project costs beyond the amounts to be paid by San Pasqual Band under this Agreement, County will rely upon and will obtain those funds from typical County capital project funding sources such as contributions from new development projects, Federal Highway Administration (FHWA), TRANSNET, Gas Tax. San Pasqual Band will receive no credit for such funding.
- i) County shall use best efforts to secure funds from the Special Distribution Fund for road improvements needed to mitigate off-reservation impacts of the San Pasqual Casino Project.
- j) Any credits towards San Pasqual Band's obligations pursuant to this section shall be treated as the next payments in time to be paid by San Pasqual Band. If such payments are made toward the improvements to Lake Wohlford Road,

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County agrees to execute documents necessary to reduce equal amounts committed to the binding Letter of Credit or security instrument.

- k) In the event funds identified in Section II-11 (a-d) are received by the County after payments from San Pasqual Band have already been paid to the County, the County shall reimburse San Pasqual Band within 30 days from receipt of such funds.

III. MISCELLANEOUS

12. Other Studies

County will be responsible for the preparation of any studies, environmental review, right-of-way acquisition, and construction needed to complete the offsite road improvements as identified in this Agreement. San Pasqual Band's contributions for road improvements include the costs of studies, environmental review, right of way acquisition and construction.

13. Tribal-State Compact

County and San Pasqual Band agree that San Pasqual Band's contributions to County pursuant to this Agreement are not exactions or fees imposed as a condition of development, and therefore are not subject to the Mitigation Fee Act (California Government Code Section 66000 and following). County and San Pasqual Band agree that Class III gaming facilities on reservation land are regulated by the Compact and that the County has no permitting authority over the construction of the casino. The voluntary contributions contemplated by this Agreement are being made by San Pasqual Band pursuant to Section 10.8 of the Compact and the parties agree that this Cooperative Agreement shall not serve as a model or precedent with respect to other forms of commercial development on San Pasqual lands that are not regulated by the Compact.

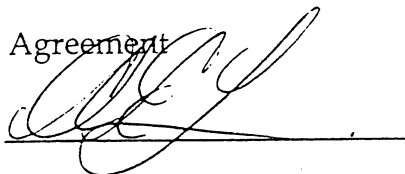
14. Notices

All notices required or provided for under this Agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid, return receipt requested to the principal offices of the County and San Pasqual Band. Notice shall be effective on the date delivered in person, or on the date when the postal authorities indicated that the mailing was delivered to the address of the receiving party indicated below:

Notice to San Pasqual Band:

San Pasqual Management Committee
San Pasqual Band of Indians
P.O. Box 2379
Valley Center, CA 92082

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Notice to County:

County of San Diego
5555 Overland Avenue Ave., Bldg. 2, Room 156
San Diego, CA 92123-1295
Attn: Director of Public Works

Such written notices, demands, correspondence and communications may be sent in the same manner to such other persons and addresses as either party may from time to time designate by mail as provided in this section. A party may change its address by giving notice in writing to other Party and thereafter notices shall be delivered or sent to such new address.

15. Applicable Laws

This Agreement shall be construed and enforced in accordance with the laws of the United States and to the extent not inconsistent therewith, the laws of the State of California.

16. Consent To Jurisdiction: Limited Waiver of Sovereign Immunity and Exhaustion Of Tribal Remedies.

a) San Pasqual Band grants a limited waiver of sovereign immunity from suit exclusively to County, and to no other entity or person, for the sole purpose of enforcing this Agreement. For this limited purpose, San Pasqual Band (i) agrees that any suit, action or other legal proceeding arising out of or relating to this Agreement may be brought in the federal courts of the United States, or in the event the federal courts refuse to hear such case for lack of jurisdiction, the State courts of the State of California (including any courts to which appeals there from are available); and (ii) waives its sovereign immunity in any such suit, action or legal proceeding by County for money damages, specific performance, injunctive relief and/or declaratory relief for San Pasqual Band's breach of this Agreement. San Pasqual Band does hereby unconditionally waive any claim or defense of exhaustion of tribal administrative or judicial remedies. In no instance shall any enforcement or judgment of any kind whatsoever be allowed or levied against any assets of San Pasqual Band other than the limited assets of the San Pasqual Band's distributed share of the revenue stream of the San Pasqual Casino Project and physical assets of the San Pasqual Casino Project, subject however, to prior existing liens or encumbrances on such assets. Specifically, this waiver shall not extend to any other accounts of San Pasqual Band, the source of which includes distributions from accounts directly related to the San Pasqual Casino Project, so long as such distributions are in the ordinary course of business when the Agreement is not in default and are not done for the purpose of frustrating the County's remedies hereunder. San Pasqual Band does not waive the defense of sovereign immunity with respect to

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any action by third parties, or extend its waiver to reach any assets of San Pasqual Band other than those specifically set forth herein.

b) County acknowledges and agrees that San Pasqual Band may bring an action in the State Courts of California to enforce the terms of this agreement as against San Diego County for money damages, specific performance, injunctive relief and/or declaratory relief for County's breach of this Agreement. County acknowledges and agrees that State Courts with proper venue have jurisdiction to hear such disputes. For purposes of the Agreement, County hereby waives any immunity it may have from suit in order to permit San Pasqual Band to enforce the provisions of the Agreement.

17. Entire Agreement, Waivers

This Agreement constitutes the entire understanding and agreement of the Parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreement between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the County or of San Pasqual Band.

18. Amendments

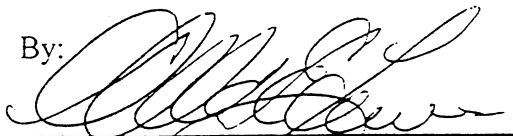
This Agreement may be amended by mutual written agreement of the Parties duly executed by the lawfully authorized officers or officials of each party.

IN WITNESS WHEREOF, the Agreement has been executed by the Parties as of the day and year first set forth above,

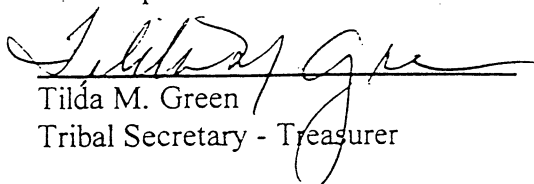
TRIBE:

SAN PASQUAL BAND OF MISSION
INDIANS, a federally recognized Indian
Tribe

By:



Allen E. Lawson
Tribal Spokesman



Tilda M. Green
Tribal Secretary - Treasurer

COUNTY:

COUNTY OF SAN DIEGO,
a political subdivision of the State of
California

By:

Clerk of the Board of Supervisors

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